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THE HISTORY
OF THE
STATE OF GEORGIA

From 1850 to 1881,

v. 1 1850-1881
EMBRACING THE

THREE IMPORTANT EPOCHS:

The Decade Before the War of 1861-5; The War;
The Period of Reconstruction,

WITH

PORTRAITS OF THE LEADING PUBLIC MEN

OF THIS ERA.

BY I. W. AVERY.

COMPLETE IN ONE VOLUME.

NEW YORK:
BROWN & DERBY, PUBLISHERS,
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THIS VOLUME IS

Dedicated

TO THE

PEOPLE OF GEORGIA,

A LUSTROUS PART OF

Whose Strong State Life is Herein Pictured.

THE

UNEMBELLISHED RECORD

Of Men and Deeds

IS A

VIVID EPIC

OF

VALOR, GENIUS AND STATESMANSHIP.

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PREFACE.

ERRATA.

Page 7, seventh line from bottom, "Tombs" should be "Toombs."

Page 58, thirteenth line from bottom, "Navy" should be "Treasury."

Page 79, fourth line from bottom, "T. R. Christian" should be "J. T. Taylor."

Page 79, fifteenth line from bottom, "Wm. Smythe" should be "J. M. Jones."

Page 389, fifth line from bottom, "was" should be "were."

Page 494, twenty-ninth line from bottom, "Gamett" should be "Garnett."

Page 510, twenty-fifth line from bottom, "John" should be "James."

Page 617, third line from bottom, "Camak" should be "Orme."

PREFACE.

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WHATEVER may be thought of the estimate of men or discussion of events in this book, the fact will stand unchallengeable that no volume ever had richer material for the Historian's pen. It has been a labor of love to portray this dear and powerful mother-State of ours, and I have felt that no one could do a better service to her people than to show her to the world as she is. There is no true Georgian who will not thrill with pride at the portraiture of individual manhood and state majesty. And whatever of criticism may be justly due to an imperfect execution of a good aim will be tenderly softened by the home reader's perception of the author's conscientious desire and faithful attempt to present the great reality of our matchless commonwealth.

The general reader, lacking the stimulus of state interest, can yet find an ample theme for study and admiration in the decisive agency of Georgia upon those massive questions of slavery, secession and reconstruction, which have shaped the affairs of this nation for the last half century. No national record of the colossal events, belonging to that momentous period of human civilization, can be complete or intelligible that lacks the potential impress of Georgia act and statesmanship. That this State furnished the molding

spirits of the Southern Confederacy, and that the stupendous endeavor at an independent nationality expired upon Georgia soil, must ever give to our Commonwealth the unfading interest and profound thought of all philosophical students of history.

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PART I.

The Decade before the War
OF 1861-5.

CHAPTER I.

GEORGIA AN IMPERIAL COMMONWEALTH.

A Leader in the august Sisterhood of States.—Her Superior Individuality.—Her Adventurous Citizenship.—The Theater of Great Events.—The Most Potential Southern State in the War of 1861.—Her Affluence of Public Men in the Last Quarter of a Century.—The Leading Instrumentality of Joseph E. Brown.

THE annals of no State in this expansive Union will show a record more illustrious, and also more picturesque in coloring, than our goodly Commonwealth of Georgia. She was one of the original colonies, the historic thirteen, that won independence in the forever famous revolution of 1776, and formed the basis of our present marvelous nationality. Founded in 1733 by that noble English gentleman, Sir James Oglethorpe, and embracing the princely scope of territory extending from the Atlantic coast to the Mississippi river, from which has been cut and formed several of our finest Southern states, Georgia has from that early day to the present maintained the luster of her origin, and illustrated in peace and war, in arts and arms, in achievement and statesmanship, in population and progress, the virtue, independence and power of a free, intellectual and Christian people.

Among all of the great commonwealths of the Union, there is, perhaps, no single one as royally endowed by nature as Georgia. There are larger states, there are states surpassing her in individual lines of production, but in the possession of a lavish variety of resource, Georgia is the foremost. Whether we regard her versatile agricultural fertility, her varied mineral wealth, her manufacturing possibilities or her commercial advantages, she has them all in affluent profusion; and superadding to these a healthy climate ranging from the purest of mountain air to the fresh buoyancy of her ocean border, a prodigal possession of crystal springs and rivers, and scenery variedly picturesque, and it is no exaggeration to claim for her a leading position in the august sisterhood of the United States.

Her career has had a romantic character, befitting her superior individuality. Hers has been a continuously dramatic destiny. Georgia, from her founding in 1733, has made a luminous chronicle of eventful emprise and stirring incident. There seems to have been from the first

an adventurous quality in her citizenship that has shown itself in unusual accomplishment. She has exerted a marked influence in every line of her growth and phase of her progress. She has been the theater of startling surprises and great operations. Both in military and in civil matters she has had uncommon prestige and achieved striking experiences. Especially in the wars that have convulsed the country has Georgia been conspicuous and brilliant. In both revolutions of 1776 and 1861 her soil was the arena of momentous and decisive movements, that gave her renown and imparted vital direction to the final result. In the great civil war, so fresh in our memories, she played a rôle that, take it all in all, was in some respects the most striking and eventful of any Southern state.

It has been her fortune, both before and during the late war, to have conflicts of argument, involving fundamental principles in our government, with the national administrations, that have alike given the state celebrity and illustrated the independence of her state authorities. The fact is that Georgia has antagonized every measure of the Federal Government, that has in her judgment encroached upon constitutional law or individual liberty.

The last thirty years, extending from 1850 to the present, have been a marked era in her history—an era remarkable for the momentous and tragic incidents crowded into the brief period of a little more than a quarter of a century. The agitation of the slavery question, that finally culminated in the attempted dissolution of the Union and its tragic consequences, may be said in the compromise measures of 1850, to have taken its first serious steps to the terrible end that came. It is the philosophy of compromise to procrastinate evil without curing it. And an inevitable conflict loses nothing of its savagery by abortive patchwork. The decade from 1850 to the civil crash of 1861, was a period of unconscious preparation for the mighty struggle. And as no state took a larger or more vital part in the conflict than Georgia when the conflict came, so no state contributed more potentially to the influences preliminary to it in the ten years of seething revolutionary preface. Among the public men of national fame Georgia furnished some of the most daring thinkers, and famous orators of the day,—statesmen of large ability and powerful public influence. Through her whole history Georgia has been particularly affluent in brilliant public men. It is doubtful whether she ever shone more resplendently in this wealth of gifted characters, than during the thirty years to which reference is made. Our state affairs were, in the decade before the war, managed with

unusually brilliant skill, while in the national councils we had representatives of surpassing prominence and force.

Marking as this period of thirty years does, an era alike in the history of our state and the nation, distinctive and dramatic, in which there was not only a revolution of arms of vast magnitude, but an even greater revolution of thought and social and political systems, I have selected it for the theme of this book. Looking at the large number of able and influential men of Georgia who have figured and led in this important and dramatic period, the man above all others who has been more closely identified with the great events of this memorable epoch in Georgia and whose masterful individuality has been the most conspicuously impressed upon these events, is the calm face and slender figure of Joseph E. Brown. His public career for a quarter of a century has been the history of his state. There is no year in this long episode of thrilling event that his instrumentality could be dropped out without creating an important blank in the picture, while no incident of the romantic record could be properly narrated that lacked the recounting of his powerful agency. From the day that, absolutely unheralded and almost unknown to the state, he was by a mysterious stroke of fortune placed at the helm of state, he has been the moving power in public matters. If his ideas have been temporarily vanquished he has seen them ultimately triumphant. Affluent as the state has been in remarkable men, it is a matter of material doubt if the annals of the commonwealth can show a character of more brain and will than Brown—a public career more valiant and dramatic than his. Bold, able, clear-headed, aggressive, placid, with unequaled powers of management, and an invincible method with the popular masses, he seized the public mind and impressed himself upon public affairs with as much force as any public man Georgia has ever had. Coming into public life when the state had a brilliant host of public men, illustrating her magnificently in eloquence, statesmanship and influence, "Joe Brown," as he has been familiarly called, immediately stepped in the very front, and has been ever since an imperious dominating leader. His public career has been a continuous surprise, bristling with dramatic alternations of popular admiration and odium, and almost uninterruptedly marked by triumphs of power clutched by marvelous exhibition of management in desperate political contests, largely flavored with the most earnest personal spirit. In all the varied vicissitudes of Georgia's history with some of the most impressive characters to dazzle public attention, it is doubtful if any public man of her annals has filled a larger measure of public thought,

or has taken a stronger hold upon the measures and times with which he has been connected, than this indomitable type of equipoised judgment.

In view of Gov. Brown being the central figure of the last quarter of a century of Georgia matters, I have deemed it not inappropriate to devote a couple of chapters to his early life, not only for the interest of the work, but to throw upon the heavy facts of our grave history the illustration of so vital an agency during this thrilling period.

CHAPTER II.

THE START OF GOV. BROWN'S STRONG LIFE.

His Progenitors.—Born of Fighting Sires.—Gameful by Heredity.—A Boyhood of Toil and Close Living.—His Immigration to Historic Gaddistown.—The United States Senate and Gaddistown.—The Famous Plow Bull.—Schooling in South Carolina.—A Pair of Steers for Board.—Remarkable Progress.—A Country School Teacher.—Reads Law in Resting Hours.—Dr. Lewis.—Brown's Fidelity to Friends.—Admitted to the Bar.—Goes to Yale College Law School.—A Practitioner of Law.

THE full name of Senator Brown is Joseph Emerson Brown. He is not a native Georgian, but was born in the adjoining state of South Carolina, in Pickens District, on the 15th day of April, 1821. He was therefore sixty years of age April 15, 1881. His birthplace was near the home of John C. Calhoun, that apostle of the doctrine of States Rights. It was here that young Brown had imbibed with the tenacity of his determined nature Calhoun's theory of state government. And it will be seen how, when he became Governor of Georgia, these decided views of state sovereignty molded his official conduct, and led him to controversies that have become historic.

It is not by any means uninteresting to trace in the life of this gentleman the ancestral qualities that came to him legitimately by hereditary transmission. His remote progenitors on the paternal side were Scotch-Irish Presbyterians, and way back in those dismal days of English history, when civil strife would seem to have culminated its horrors in the time of James the Second, they faithfully adhered to the fortunes of William and Mary. Their home was in the vicinity of Londonderry, Ireland, and when that place was subjected to the cruelties of a lengthened siege, the ancestors of Joseph E. Brown vindicated their courage and their fidelity by an un murmuring participation in the sufferings of that occasion. In an exceedingly vivid sketch comparing "Joe Brown and Bob Tombs," "H. W. G." in the *Constitution* newspaper, thus alludes to Brown's progenitors :

"Joe Brown and Bob Tombs! Both illustrious and great—both powerful and strong—and yet at every point, and from every view, the perfect opposites of each other.

"Through two centuries have two different strains of blood, two conflicting lines of thought, two separate theories of social, religious and political life, been working out

the two types of men, which have in our day flowered into the perfection of contrast—vivid, thorough and pervasive. For seven generations the ancestors of Joe Brown have been restless, aggressive rebels—for a longer time the Toombs have been dauntless and intolerant followers of the king and kingliness. At the siege of Londonderry—the most remarkable fasting match beyond Tanner—Margaret and James Brown, grandparents of the James Brown who came to America and was grand-parent of Joe Brown—were within the walls, starving and fighting for William and Mary; and I have no doubt there were hard-riding Toombs outside the walls, charging in the name of the peevish and unhappy James. Certain it is that forty years before the direct ancestors of General Toombs on the Toombs estate were hiding good King Charles in the oak at Boscabel, where, I have no doubt, the father and uncles of the Londonderry Brown, with cropped hair and severe mien, were proguing about the place with their pikes, searching every bush, in the name of Cromwell and the psalm-singers. From these initial points sprang the two strains of blood—the one affluent, impetuous, prodigal—the other slow, resolute, forceful. From these ancestors came the two men—the one superb, ruddy, fashioned with incomparable grace and fullness—the other pale, thoughtful, angular, stripped down to brain and sinew. From these opposing theories came the two types—the one patrician, imperious, swift in action and brooking no stay—the other democratic, sagacious, jealous of rights and submitting to no imposition. The one for the king—the other for the people. It does not matter that the elder Toombs was a rebel in Virginia against the fat George, for that revolt was kingly of itself, and the Virginian cavaliers went into it with love-locks flying and care cast to the winds, feeling little of the patient spirit of James Brown, who, by his Carolina fireside, fashioned his remonstrance slowly, and at last put his life upon the issue.”

In 1745, Brown's ancestors emigrated to America. This was some thirteen years after the settlement of Georgia by Oglethorpe. They first settled in the colony of Virginia, but subsequently removed to South Carolina, where they became worthy citizens, keeping up their stern fidelity to patriotic duty. Joseph Brown, the grandfather and namesake of Senator Brown, was a resolute Whig in the days of the Revolution of 1776, and did his part gamefully in that memorable strife. He fought in many leading engagements, including Camden, Kings Mountain and others. He was true to the rebel instincts of the blood, and upheld the colonial cause until independence crowned the long and weary contest.

Of the family of Joseph Brown the revolutionary sire, Mackey Brown, the father of Joseph E. Brown, when quite a young man sought a home in the state of Tennessee, in the middle section of that commonwealth of bountiful products. Following the intrepid impulses that came to him from his Londonderry progenitors, Mackey Brown enlisted in the war of 1812 in the brigade of General Carroll. He went with this command to New Orleans, and shared actively in all of the campaigns of that war, finally fighting with “Old Hickory” in the celebrated battle of the 8th of January, 1815, which resulted in the death of General

Packenham, the British commander; the defeat of the British army, and the election of General Jackson as President. It will thus be seen that Joe Brown comes of a fighting stock, and the unyielding combativeness that has constituted one of the staple ingredients of his character, and a leading feature of his political life, is a quality of long-transmitted inheritance, perpetuated through generations of resolute blood and fiery trial.

Mackey Brown returned from the war to Tennessee and married Sally Rice, whose people came from England and, settling in Virginia, emigrated to Tennessee. After the marriage, Mackey Brown and his young wife moved back to South Carolina to Pickens District, where, in the quiet pursuit of an agricultural life, eleven children were born, the oldest of whom was Joseph E. Brown.

The early life of Joe Brown was uneventful. His parents were in moderate circumstances, and he grew up accustomed to farm labor. He was educated in those simple habits of living, temperate, abstemious and healthful, from which in all the elevations of his extraordinary career he has never deviated. From the early age of eight he did steady farm work until he was nineteen years old, filling in the intervals with the ordinary country schooling. Before he was grown, however, Mackey Brown left South Carolina and emigrated to Union county, Georgia, where Joseph E. Brown made the humble beginning of his wonderful career in this state. The little valley near which they settled was called GADDISTOWN.

Men make localities famous. It is the province of genius to thus emulate great events in conferring celebrity upon places. The obscure little country place of Gaddistown has earned immortality through the poor uneducated boy that arrived there in his 'teens over forty years ago. When at the close of the most protracted political and personal campaign ever held in Georgia, in which he was a leader and factor, this penniless and unlettered boy became a millionaire in wealth, all won by his own strong industry and enterprise, grasped in his powerful hand the glittering honor of a United States Senatorship by such a majority as the most fortunate of men rarely get, the wondering populace, caught from its rural hiding place in the mountains of Georgia, far away from the whistle of the steam car, the modest locality of Gaddistown and made it a household word forevermore. Such is the spell of genius. In the badinage that flashed about the marvelous victory, Gaddistown bloomed into fame as the spot where the millionaire Senator plowed his historic bull in the days of his penniless youth, and made the modest

starting of his miraculous career. The papers rang with the name of Gaddistown. In the brilliant breakfast room of the Kimball House, where a large number of Senator Brown's friends gathered to dine in honor of his overwhelming election that day, the Gaddistown Club was organized in tribute to the henceforth immortal Gaddistown.

During these years of his youth up to the age of nineteen, young Brown learned nothing but the three R's,—reading, 'riting and 'rithmetic, and these very limitedly. He worked laboriously, plowing his now historic bull, hauling wood to Dahlonga, selling vegetables in a basket to the hotel and others that would buy, and aiding in the frugal support of his father's large family. "Bill Arp," in one of his inimitable letters to the *Constitution*, narrates the following interesting incident of the period of Brown's life, told him by Gen. Ira Foster:

"When he got to talking about Joe Brown he stretched forth his arm and said that man is a miracle. I knew his parents before he was born. They were exceedingly poor. His aunt Sidney did my washing when I was a young man living in Dahlonga some fifty years ago.

"Joe cultivated a little scrap of hillside land with a pair of bull calves, and every Saturday hauled to town some potatoes or cabbages or light wood or other truck in trade and took back something for the family. In 1839, I think it was, I was riding to Canton in a buggy, and I overtook a young man walking in a very muddy lane. He had a striped bag hung over his shoulder and looked very tired. I asked him if he would not take a seat, and he looked down at himself and said he was too muddy, and that he would dirty up the buggy. I insisted and he broke off a splinter from a rail and scraped his shoes and got in. I learned from him that his name was Joe Brown, and he was going to Canton to get something to do. I have kept an eye on him for forty years. He is a wonder to me."

But there was a something in the youth that impelled him irresistibly to a higher and broader life, and his strong intelligence realized the necessity of a better educational equipment. There is no doubt however that in these years of youthful work were laid the foundation of those inestimable habits of patience, pains-taking industry, frugality, self-control, and a knowledge of and sympathy with the laboring masses that have so marked his career, and aided in his exceptional success.

In the fall of 1840 he obtained his father's consent to make a new departure and gratify his craving for education. All that his father could do for the boy who was to carve out for himself so wonderful a fortune, was to give him some home-made clothing and a yoke of steers. With this modest endowment of worldly goods the youth went back to Carolina and entered the Calhoun academy in Anderson district, probably drawn there by his reverence for the name and doctrines of Calhoun. The steers paid for eight months' board. The tuition was

obtained on credit. It can be well imagined that a spirit so determined upon an education improved this opportunity to the fullest measure of an uncommon intellect. Returning to Georgia in the fall of 1841, the earnest youngster taught school for three months to get the means to continue his schooling, and went back in January 1842 to Calhoun academy, pursuing his studies by incurring debt for his tuition and board. A very successful and eminent teacher, Mr. Wesley Leverett, was in charge of Calhoun academy, and the bond of sympathy between him and his remarkable pupil was such, that when Mr. Leverett left the academy and removed to another school that he established near Anderson Court House, the wise youth followed him and enjoyed his instruction during that year. The progress of young Brown in his studies was very rapid and marked. His strong practical mind, with its keen hunger for knowledge and its native superiority of application and mental labor, achieved astonishing results, delighting his preceptor. His money with which to pay board early gave out, but he readily obtained it on credit, there being no lack of friends to trust and encourage a spirit so bent upon an education. The extraordinary progress he made can be understood when it is known that in two years' study from the groundwork young Brown had fitted himself to enter an advanced class in college. He had to forego college education, however, because he had not the means.

In January 1844 Mr. Brown, at the age of twenty-two, returned to Georgia and opened an academy in Canton, Cherokee county. He had to repay the debts incurred in his education, and he fully realized the obligation that rested upon him. He opened his academy with six scholars, the number rapidly increasing to sixty as his admirable capacity for teaching was demonstrated. The school was popular. He taught the year through, devoting his days to his pupils and his evenings and Saturdays to laborious study of the law.

This earnest young man wasted no hours. His mastery of the law was thorough and close. A methodical division of his time with the intensest attention while at study enabled him to accomplish large results. As a teacher he was unusually successful, and had he pursued that vocation he would have made an eminent instructor. His placid temper, great patience, determined will, admirable tact and practical clear methods, fitted him finely to teach and control scholars. At the end of the year he had made and saved enough money to pay off the entire debt incurred in Carolina for his education, and with that scrupulous regard for his obligations that has distinguished the man

always, he made a special trip to that State and repaid to the last dollar every liability due for board and tuition.

During the year 1845 he continued his law studies in Canton, teaching the children of his friend and patron, Dr. John W. Lewis, for his board. The relations between Dr. Lewis and young Brown were very close and tender. It illustrates a strong quality of Senator Brown's nature that in after years, when he became influential and had patronage at his disposal, he remembered his early benefactor and delighted to honor him. Fidelity to his friends is a crowning quality of the man, and has been a large factor in his success. He appointed Dr. Lewis Superintendent of the State Road, and afterwards Confederate State's Senator, when there was a vacancy in that high office. Gratitude is golden, and it belongs to Joseph E. Brown in a remarkable degree.

In August 1845, Mr. Brown was, after a searching examination of several hours, admitted to the bar. The presiding judge complimented him highly upon his proficiency. He is said to have answered incorrectly but one question put to him by the examining committee of lawyers, who seeing that they had an unusually well-informed applicant to test, made the ordeal as critical as they could. At this same term of the court the young lawyer made his first speech and won a host of encomiums alike from the bar and the audience. In that maiden effort he, according to the traditions of that day, gave specimen of the simple style of effective talk that made him afterwards so potential in speech while claiming no pretensions to oratory. He had a clear method of presenting his cause, a faculty of putting the irresistible common sense of the subject, and a homely, direct power of reaching the hearts of his hearers that proved wonderfully successful.

Talking in Spring Place, Murray county, in 1866, at a term of the Superior Court there, with an old citizen and admirer of Brown, who had often seen him in the trial of cases, the citizen said that in many respects Brown was the most remarkable young lawyer he had ever known. He said he had never seen a young lawyer, nor an old one either, that did not some time lose his equilibrium. In the ups and downs of a trial, the most experienced were thrown off their balance by some unexpected testimony or some sudden and crushing reverse. But nothing could disturb Brown. His composure and self-possession were immovable. The worst disaster in a trial found him as cool and placid as a summer morn, with every wit sharpened to nullify it. This game quality impressed others profoundly, and gave him a great advantage in forensic battles.

Mr. Brown was now twenty-four years old, and had studied the law nearly two years and passed a rare examination in his admission to the bar. He was better equipped for practice than the majority of young lawyers. But he was not satisfied with his preparation. Having an exalted standard of professional success before him, and appreciating that to be a great lawyer a man must broaden and liberalize his mind, as well as be thoroughly initiated into the fundamental principles of law and government, Brown resolved to enlarge and perfect his legal education. His staunch friend, Dr. Lewis, loaned him the money to carry out his purpose, and in October 1845, he entered the law school at Yale College and remained there until June 1846.

His year of study at Yale was very valuable. His hard digging at the law in the mountains of Georgia stood him in good stead in rounding off his legal education at venerable Yale. The mountain youth stood at no disadvantage with the youngsters of wealth at the old college. He took the lead easily in his classes. He found it a light matter with his strong native powers, fortified by two years of close legal application in his quiet rural home, to take all of the studies of the three classes, and keep up with them, and yet in addition, attend many of the lectures of the professors in other departments, as Professor Silliman on Chemistry and Geology ; Dr. Taylor on Mental Philosophy ; Dr. Knight on Anatomy, and others. He graduated at the commencement in 1846 in the law school, but did not remain to take his diploma in person. In that practical spirit that governed him in all matters, he requested permission to stand his examination and leave in June, in order that he might get the business benefit of attending the fall courts at home in Georgia. His diploma was sent to him. He located in Canton, and at the ripe age of twenty-five years he began the practice of his cherished profession of the law, and soon built into a lucrative business.

Looking at Senator Brown's course preliminary to his beginning the practice of the law, there is a fine example for poor young men and a marked exhibition of that native sagacity that has governed his life. Commencing at nineteen years of age with but a light country schooling, he, of his own wise impulses, devoted six years to his education. His rare natural abilities were in the vigor of a youthful healthy manhood. He was ripe for the very best acquisition of learning and the most profitable training of his faculties. His powerful young mind was just in that age of maturity of the learning capacity, that made his studies doubly useful. This poor country youth was a tardy beginner

of life's practical business at twenty-five years of age, but he in reality possessed a perfection of equipment that few beginners have. Purity of habit and principle that secluded country life gives, habituation to severe ordeals of physical and mental labor, a long course of legal education finished at the finest law school in the country, and a social and mental intelligence of unusual grasp capped and widened and polished by the collisions, the culture and worldly knowledge of a year at a cosmopolitan college, all were young Brown's, when he started life in the country village of Canton, in the sunny summer of 1846. And it is not by any means a surprising matter that he succeeded. Such powers, such knowledge and such methods as he had were bound to succeed. There was nothing brilliant about him. But he made the progress ever achieved by hard and continuous work. He never lost a client. He lived as he had been raised, moderately and helpfully, and his habits continued simple. He made \$1,200 the first year, and then pushed up slowly but steadily to \$2,000 and \$3,000. He never went backward. He made no blunders. His investments were all safe and judicious. He very early paid \$450 for a piece of land which afterwards turned out handsomely for him, a half interest in a copper mine thereon bringing him \$25,000, which he invested in farms, and which was the basis of his afterwards immense fortune.

The next wise and fortunate step that this rising young man took was to marry a good wife. In 1847 he was united in marriage to Miss Elizabeth Gresham, the daughter of the Rev. Joseph Gresham, a Baptist minister of South Carolina. He made a happy marriage, his wife sharing congenially the eventful fortunes of his remarkable life, presiding well over his happy home, and raising admirably the large family of intelligent and worthy children that she has brought to him.

As a lawyer, as can be conceived, Mr. Brown immediately took a foremost rank. Instantaneously prompt and punctual, giving immediate attention to all matters entrusted to his care, untiringly industrious, working up his cases thoroughly, examining legal questions to the bottom, exhausting authorities, carefully correct in judgment, full of the resources of pleading and practice, and an earnest and convincing speaker, he had every quality needed to give him both reputation and practice.

A gentleman had a claim against a farmer residing in ten or twelve miles of Canton. He arrived there in the afternoon and was referred to Mr. Brown. He put the matter in Brown's hands, who told him to call the next morning. Brown rode out to the house of the citizen that

very evening, managed to get the money, returned to his office, and when the gentleman called by appointment early the next morning, paid him his money. He stopped at no trouble or labor in his business, and his swift promptness and tenacious attention to his cases wrought their inevitable results. Every lawyer in large practice can point to his hard forensic battles and romantic victories, won by clever strokes of legal strategy and skillful operations of professional acumen. Mr. Brown had an unusual number of such struggles and triumphs. A plain man and severely practical, lacking the flash of oratory and making no glittering personal display, yet there was a romance and dramatic effect in his management of some of his legal skirmishes, that surpassed the achievement of more showy solicitors. Some of his legal contests were surprises of skill and boldness. A very earnest man, of indomitable will and unswerving purpose, he was a hard hitting forensic fighter. Secretive as to his plans, he sprung damaging traps upon his opponents and he pursued a defeated antagonist unrelentingly. Hon. L. N. Trammell, speaking of his power as a lawyer, said his influence over a jury was extraordinary. While not an orator, his speeches were irresistible. Says Mr. Trammell, "Gov. Brown's speeches to juries were marvels of effect. They were as clear as a sunbeam. They exhausted practical sense, and reason, and put his side of a case so strongly and logically, that he always carried conviction."

CHAPTER III.

GOV. BROWN'S MARKED CAREER AS A STATE SENATOR IN 1849.

His Early Drift to Politics.—Runs for Senator.—The Temperance Issue —His Election.—The Legislature of 1849 noted for its Fierce Political Controversies.—Andrew J. Miller and Joe Brown the Leaders.—The Veteran and the Neophyte.—Brown Leaps to the Front.—Brown and Alfred H. Colquitt.—A Curious Coincidence.—The Personelle of that Body.—The Judges of that Day.—Hiram Warner.—H. V. Johnson.—Mrs. Johnson.—Henry R. Jackson.—Aug. Hansell.—James Jackson.—Gartrell's Resolutions.—The Heat upon Slavery.—Dissolution of the Union Intimated.—Chas. J. Jenkins.—Chas. J. McDonald.—Miller's Hobby.—The "Woman's Bill."—Gov. Brown against all the New Fangled Ideas.—Richard H. Clarke.—Thos. Butler King.—O. A. Lochrane.

BUT while Gov. Brown was and is a great lawyer, the dominant tendency of his nature was political. A profound and able jurist, his forte was politics. His greatest capacities drove him to public life. He took to it as a fish does to water. His popular tact was unerring, his fitness for political contest perfect. Admitted to the bar in 1846, he drifted into politics in 1849. At that time there were forty-seven Senatorial Districts in the state, each furnishing a Senator. Forty-six of the Districts were composed of two counties each, and Mr. Brown lived in the forty-first, which was composed of Cherokee and Cobb counties. He received the Democratic nomination. Opposed by Col. John M. Edge, the canvass was an active one and resulted in his triumphant election. The temperance issue was raised against Mr. Brown, he being a member of the order of the Sons of Temperance. With his usual positiveness he took square temperance ground when assailed. The objection was made to him that he was against the liquor traffic. He accepted it boldly, refused to treat to liquor in his canvass, and in his speeches broadly announced that he would treat no one, though the refusal might cause his defeat by thousands of votes. In a rural mountain section where the distillation of spirits is largely carried on, it might well be supposed that such a declaration would be perilous. The custom of candidates using liquor freely in their campaigns was general. He had the courage to break the custom, and after a warm contest he was decisively elected.

The legislature of 1849 and 1850 was a right memorable one. Georgia then had the system of biennial sessions, which she discarded soon, and then re-adopted in 1877, after she had forgotten the experience of a quarter of a century previous. The session was eighty-five days in length. The same policy was carried out that has prevailed in the biennial sessions of 1878 and 1881, of having an adjourned term. And Senator Brown voted against it in 1849, as he did against every daily adjournment, nearly, his disposition being to get through his legislative work in the quickest possible time.

Among the more notable men of this Legislature were Andrew J. Miller and David J. Baily of the Senate, and Augustus H. Kenan, Wm. T. Wofford, Thomas C. Howard, Gen. Harrison W. Riley, Parmedus Reynolds, Charles J. Jenkins, Linton Stephens and Lucius J. Gartrell, of the House. Joseph E. Brown was a new member and a new man in Georgia politics. This Legislature was noted for its fierce controversies upon political questions. Andrew J. Miller was the leader of the Whigs. Representing the powerful constituency of Richmond county, a lawyer of acknowledged ability, a ready debater, of cool imperturbable temper, high integrity and unflinching firmness, he stood very high. Joseph E. Brown leaped to the leadership of the Democrats in spite of his youth and inexperience, and the two names that figure most frequently in the journals of the Senate during that racy session are Miller and Brown. The young mountain novice tackled the old city veteran gamely and successfully. And the Democratic measures went through steadily under the firm leadership of this raw but powerful young neophyte. Brown was put on the Judiciary committee in recognition of his legal ability, that in three years' practice had established itself, and he was made chairman of the penitentiary committee. In addition he was put upon nearly every important special committee to consider special matters of moment. Among these were, committee to enquire ~~into~~ to repeal of laws in regard to introduction of slaves into this state: committee on bill to protect public worship: committee on bill to abolish costs in Supreme court: committee to re-organize the Judicial circuits: and other committees, in most of which Brown was chairman.

It is matter of curious note that the assistant secretary of the Senate was Alfred H. Colquitt, who thirty years later made Joseph E. Brown United States Senator, and was united with him in the political campaign of 1880, the most savage public contest ever witnessed in Georgia, which resulted in the re-election of Colquitt as Governor of Georgia, and the election of Brown as United States Senator. And it is also

another curious fact that of the two speeches reported during the session of 1849-1850 one was a speech made by Brown, and it was reported by Mr. Colquitt for that strong journal, the *Macon Telegraph*, which at that time was only a weekly paper.

Gov. Geo. W. Towns was the executive of the state. The state road was in running order to Dalton, was graded to Chattanooga and the track laid to within seven miles of that place. The benefit of that road is shown by the fact that the business had increased for 1849 over forty-seven per cent. more than in 1847. At this time the judges were elected by the General Assembly, though an act was passed submitting to the people whether judges should be elected by the Legislature or the people. The people decided in their own favor, and after this the judges were elected by the people of their respective circuits. This Legislature elected Hiram Warner Judge of the Supreme Court, and Judges of the Superior Court as follows:—Eli H. Baxter, Northern circuit; Henry R. Jackson, Eastern circuit; Augustin H. Stansell, Southern circuit; James Jackson, Western circuit; Ebenezer Starnes, Middle circuit; Herschel V. Johnson, Ocmulgee circuit; Jas. H. Stark, Flint circuit; Alfred Iverson, Chattahoochee circuit; John H. Lumpkin, Cherokee circuit. Of these gentlemen a number became distinguished. H. V. Johnson and Alfred Iverson were made United States Senators; H. V. Johnson, Governor; Hiram Warner and James Jackson, Congressmen and Chief Justice of the Supreme Court; E. Starnes, Judge of the Supreme Court; H. R. Jackson, United States Minister to Austria. There has perhaps never been a more brilliant array of judges in the history of the state. Judge Warner has been almost continuously on the bench since, resigning the Chief Justiceship of the Supreme Court in 1880. Judge Warner is in many respects a remarkable man. He came from New England. A tall, erect, muscular person of great decision of character, high order of ability, and extensive legal erudition, he has maintained a striking hold upon the people of Georgia in spite of a decided lack of social feeling and generous sentiment. A fearless utterance of his views, an iron resolution and a rigid integrity, have upheld him in popular confidence, notwithstanding the severity of demeanor and a sort of determined rancor of prejudice. Cold and stern, he was able and believed to be honest. Alfred Iverson was a man of much power, a small person in stature, but of considerable speaking ability.

Governor Johnson was the ablest of these men. There has been no public man in Georgia in the last quarter of a century the superior in brain power of H. V. Johnson. A powerful thinker, a strong speaker,

possessor of an exquisite style of writing, the chastest and most vigorous master of language we have ever had in the state, he is one of our few public men that could be called great. He was a timid and a gloomy man, however, and in his manners a brusque person. The contrast between the bluntness of his ways and speech, and the classic elegance of his writings, was something inexplicable. His state papers were models of statesmanship and polish. Judge, afterwards Governor Johnson, married a niece of President Polk, the most exquisitely beautiful and intellectually gifted woman of her day when young. After he became executive she made the state house famous by her entertainments. Of exquisite figure, with features of faultless beauty, clear-cut, intellectual and of the most classic Grecian type, with a complexion as clear and rose-tinted as a healthy infant's, she added conversational powers of surpassing brilliancy, and an attractive sweetness of manner irresistible. She was a notable housewife and devoted mother, yet she was profoundly read in the political, scientific and religious literature of the day, and could talk upon these matters with wonderful power and genuine eloquence.

Henry R. Jackson was one of the most gifted of these men, a magical orator, a true poet and an able lawyer. And added to this was a chivalric, personal courage and a fiery scorn of anything small. Judge Hansell is still Judge of the Superior Court, and preserves those high characteristics of manhood that marked him then. James Jackson was a most promising young man, belonging to and constituting a typical member of the famous family of Jacksons that have filled so large a rôle in Georgia annals, whose founder was one of the early Governors and a United States Senator; a man of iron force of character, who burned the records of the great Yazoo fraud with a sun glass. It has been something for Joseph E. Brown to have outstripped these gifted aristocrats of Georgia civilization. In the election of these judges the Southern Rights question entered. Lumpkin, James Jackson and H. R. Jackson were Union Democrats, and came near defeat on that account. James Jackson wrote to Alex. Stephens asking his influence, appealing to his well-known proclivity to help young men. Through Mr. Stephens his brother Linton voted for Jackson, though Linton was a Whig.

The chief battle in this General Assembly was over some Democratic resolutions, originated mainly by Lucius J. Gartrell and W. W. Clayton, declaring for strict state rights; for a national territory equally slave and free, and branding the Wilmot proviso as unconstitutional. The report of the committee on the state of the Republic, introductory of

these warm resolutions, was written by Col. Thomas C. Howard, the chairman of the House committee, regarded then as the most promising young man in the state. An inimitable conversationalist, flashing, witty and fervent, there is no man in Georgia that has ever surpassed him as a talker. He was then and is to-day a remarkable man. His report on these resolutions was a brilliant piece of writing. The debates over these resolutions were sharp and at times stormy. In the Senate, Miller and Brown had numerous skirmishes. Governor Colquitt told the writer that the Democrats had a sense of security when Brown had charge of the Democratic side that they had under no other leader. His speeches were to the point, clear and forcible, and his readiness and resources equal to any occasion. The resolutions were finally passed. Among them is the following:

"9th Resolved. That the people of Georgia entertain an ardent feeling of devotion to the union of these states, and that nothing short of a persistence in the present system of encroachment upon our rights by the non-slaveholding states can induce us to contemplate the possibility of a dissolution."

These resolutions provided for calling a State Convention in certain contingencies. They illustrate the inflammatory agitation that was convulsing the country upon the subject of slavery, and the contemplation of a severance of the union as an ultimatum that came ten years later. On the final passage in the Senate the vote stood thirty-five yeas to three nays, Andrew J. Miller being one of the nays. In the House the vote stood ninety-two yeas and twenty-eight nays. Charles J. Jenkins was the leader of the union party in the House. Mr. Jenkins has been one of the purest and ablest public men the state has ever had. He afterwards became Governor and Judge of the Supreme Court, and President of a Constitutional Convention of 1877. Possessed of punctilious integrity and high ability, known for an adamant firmness and courage, patriotic and public-spirited, no man in the state has enjoyed a larger measure of respect than Mr. Jenkins. He has been a citizen of which any commonwealth could be proud.

In connection with these resolutions the general assembly elected C. J. McDonald, M. H. McAllister, C. Dougherty and William Law as delegates to a convention of the people of the slave-holding states of the union to be held on the first Monday in June, 1850, in Nashville, Tennessee, called in conformity with a recommendation of the people of Mississippi, to take some harmonious action in defense of the institutions of slavery and the rights incident to it under the Constitution of the United States. C. J. McDonald had been governor of the

state from 1839 to 1843, and was a gentleman of ability who possessed to a large degree the confidence of the people. M. H. McAllister was a citizen of Savannah, looming up prominently for public honor, but who injudiciously sacrificed the sure promise of distinction in Georgia by removing to California. C. Dougherty and William Law were both lawyers of fine ability. Dougherty was a citizen of Athens, of bright mind, member of a gifted family. He was defeated for governor on a close vote by McDonald. Law was a citizen of Savannah, and became a distinguished judge.

One of the notable battles in this legislature was over a measure that became in those days known as the hobby of Andrew J. Miller, called his "Woman's bill." The object was to secure to married women their own property independent of the husband. Miller was sent to the legislature time and again, and at every session he introduced this measure, only to be repeatedly defeated. It finally became the law, and its success was due to the persistent agitation of the persevering Miller. Joseph E. Brown had the old-fashioned notions of the marital relation and fought all of these new-fangled ideas. Miller's Woman's bill was defeated by a vote of twenty-one yeas to twenty-three nays in the Senate, Brown voting no. A bill to limit the liability of husbands for debts of wives incurred before marriage, did pass the Senate, however, and Brown vindicated his consistency by voting against it. During the consideration of the Woman's bill Judge Richard H. Clark offered an amendment submitting the Woman's bill to a popular vote at the governor's election in 1851. Senator Woods proposed an amendment allowing females between sixteen and fifty years to vote. The amendments were both rejected by only a small majority. Judge Clark has been a well-known figure in Georgia matters. A delightful gentleman socially, a writer of exquisite culture, a thorough lawyer and yet with a decided bias to literature, Judge Clark has held a high position. He has been one of the codifiers of the Georgia statute law, and a judge of admitted ability. He is now judge of the city court of Atlanta.

At this session of the legislature important legislation was had on the divorce law. Joseph E. Brown, as may be expected, fought every proposition widening the domain of divorce, and maintained rigid adherence to all of the strictest ideas of marriage sanctity. He was for striking out as grounds of divorce intermarriage within the Levitical degrees, desertion for three years, and conviction for crime, and finally voted against the bill. An effort was made to incorporate the Grand Division of the Sons of Temperance, and referred to a special committee

with Brown as chairman, who was known to be an ardent temperance champion. He made a strong report against it, arguing that any legislation of the sort would injure the cause of temperance, which was making progress, and should depend for success upon inherent moral influence.

Senator Brown gave a marked instance of his thoughtfulness of the interest of his immediate constituents, and his successful method of doing things in a little post route matter. Mr. Boyd offered resolutions for mail arrangements to be secured between Marietta and the towns of Roswell and Cumming. Brown moved and carried the motion to strike out Roswell and Cumming and substitute Canton therefor.

As illustrating the temper of the people on the subject of slavery, an episode occurred in the Senate which deserves mention. Among the marked and influential public men of that day was the Hon. Thomas Butler King. He was a wealthy planter on the coast, a gentleman of aristocratic family, of high social influence and very strong ability. He was a Congressman and went later as Commissioner to Europe. Senator Brown introduced resolutions reciting that it was reported that Mr. King had resigned his seat in Congress and was in California, alleging that he represented the cabinet at Washington, and was seeking to become a Senator from California under a Free-soil Constitution, and resolving that it was derogatory to a Southern representative in Congress to advocate the admission of California into the Union as a free state, and still more derogatory to such an individual to accept a seat in the National councils purchased by moral treason to that portion of the Union that has fostered him, and that Mr. King's conduct met the unqualified disapprobation of the General Assembly.

The resolutions were taken up by a vote of twenty-one to sixteen, and made the special order for a future day, among those voting in the affirmative being Senator Thomas Purse of Savannah. Final action was never taken on them, they being based upon misapprehension of Mr. King's real attitude. As a further exemplification of the temper of the times upon this absorbing question it may be stated as an incongruous attempt to embody the spirit of the people that a military company in Lagrange was incorporated as the "Georgia Constitutional Guards of Troups."

This legislature passed a special act allowing a young man to practice law, who has occupied a large portion of the public attention since, Mr. Osborn A. Lochrane. A poor Irish youth, he began his career in this country as a drug clerk in Athens, Ga. He made a speech in a debating



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society that attracted the attention of Chief Justice Lumpkin, who advised him to read law. He did so, and has been a noted person in Georgia matters. He culminated his profession by a seat on the Supreme Court as Chief Justice. Judge Bleckley said of him to the writer, that he possessed a dual intelligence ; one, a flashing surface sparkle of froth and pleasantry, and underneath a strong, industrious, logical mind, searching, original and vigorous. He has built into fortune and national repute as a lawyer. The friendly bonhomie of his nature has made enmity to him impossible. Tolerant to all political creeds, genial and humorous, full of business capacity, a thinker and an orator, Judge Lochrane has been a conspicuous example of unusual success, achieved by a capable intelligence sun-shining itself through the world.

Senator Brown's career as a state senator was a noted step in his upward progress. It was too limited an arena and too short an episode to give him a state repute. It enlarged his local fame and home influence. It formed a valuable part of his public education. It brought him into acquaintance with many of the leaders of thought in the state. It strengthened his confidence in his own powers and resources. And it was a curious piece of discernment, prophecy and candor in his venerable and distinguished opponent and rival in leadership, Andrew J. Miller, to have used this remark :

"Joe Brown will yet stamp the impress of his greatness upon the future history of the state."

CHAPTER IV.

HERSCHELL V. JOHNSON AS GOVERNOR.

Howell Cobb and C. J. McDonald in 1851.—The Union Victorious over Southern Rights.—H. V. Johnson and C. J. Jenkins in 1853.—Alfred H. Colquitt makes Johnson Governor.—Southern Rights Triumphant.—Brown an Elector.—The Whig Party Riven.—C. J. Jenkins for Vice-President.—The Tornado of Know-Nothingism.—A Mad Flurry and a Hard Fight.—Alex. Stephens and His Political Shroud.—The Triangular Contest for Governor.—H. V. Johnson, Garnett Andrews and B. H. Overby.—Brown's Race for Judge against David Irwin.—An Acrimonious Battle.—Young Brown Victorious.—Brown is a Perilous Political Fighter.—Gadistown Stands to Brown.—Brown a Rare Judge.—Racy Anecdotes of His Judicial Administration.—Brown Comes to the Edge of His Destiny.

RETURNING home to the practice of law, Mr. Brown gave his attention with all the vigor of a decided nature and strong abilities to his congenial profession. He continued practice until the fall of 1855, when he took his chances before the people of his circuit for election to the office of judge. The method of selection of judges had been changed from election by the legislature to election by the citizens of each judicial circuit.

During the intervening period Howell Cobb had been elected Governor of Georgia, and served from 1851 to 1853, beating ex-Governor McDonald in a well-contested race. The Southern Rights question had been made an issue, and Mr. Cobb, representing the Union party, had whipped the fight. Mr. Cobb was one of the really great men of the nation. Entering political life young, he had been almost uninterruptedly successful. As a representative in Congress, a United States senator and a Cabinet minister, he had reflected luster upon his state, and made a national reputation for statesmanship. Wise, conservative, able, resolute, amiable and social, Mr. Cobb was one of the most popular and esteemed public men Georgia has ever had.

In 1853, Herschell V. Johnson was elected Governor, beating Charles J. Jenkins by a small majority in one of the closest and sharpest campaigns of Georgia annals. The Southern Rights party had received a black eye in the defeat of its candidate, ex-Governor McDonald, by Howell Cobb in 1851, and it was claimed that the issue was settled. But the Southern Rights men made a new effort in 1853, under H. V.

Johnson, and this time they succeeded, though by a close shave. It was in this race that Alfred H. Colquitt made his first important political fight. He took the field as the nominee of the Democratic Southern Rights convention for Congress against James Johnson, the Union candidate. The Union men in this district, the second, had a majority of fully three thousand. It looked like a forlorn hope to overcome it. But young Colquitt and that other bright youngster, Thomas C. Howard, took the stump, canvassing through the congressional district for two months, riding in a buggy and making daily speeches. It was a lively battle and proved to be the crucial point of the gubernatorial contest. Young Colquitt had all the prestige of his gifted father's wonderful name and popularity. He was handsome, genial, able and eloquent. Added to this was the guidance of his father, who was an unprecedented political leader. The result was a surprise of effective work. Young Colquitt swept the district triumphantly, carrying the gubernatorial guerdon on his strong shoulders, and he had the glory of not only winning his own election by a reversal of the heavy majority against his party, but of securing the success of his party candidate for Governor.

The only political part that Joseph E. Brown took very actively in these contests, was that in 1852 he was nominated on the Democratic electoral ticket for Pierce and King, and kept up his practice of political success by receiving the highest vote of any on the ticket, though he was its youngest member. It will recall an interesting fact of that campaign to state that a convention held in Macon nominated Daniel Webster for President and Charles J. Jenkins for Vice-President. Mr. Jenkins had declined to support either Pierce, the Democratic candidate, or Gen. Scott, the Whig candidate for the presidency. The national controversies on the slavery question had played the wild with parties in the South, and especially in Georgia. The Whigs were driven from their national party alignments. Robert Toombs and Alex. H. Stephens, the chief Whig leaders in Georgia, had declared the Whig party north unsound on slavery, so dear to them, and came to the Democratic party. A number of the Whig leaders in our state found it hard to yield their old antagonism to the Democracy. It was a mixed state of things among the Whigs, some supporting the Democracy, some supporting the Whig candidate, Scott, and some in the middle and southern parts of the state refusing to support either. Another issue split both Whigs and Democrats in Georgia, and that was the Union and Southern Rights question. But its effect was more disastrous to the Whig

organization. Mr. Jenkins' attitude in the presidential campaign lost him strength in his gubernatorial race.

Right upon this disintegration of the Whig party was sprung a new political question, that furnished a new distraction for the seething political elements. It swept the country like a prairie on fire. In the history of political agitations there never has been an instance of a more sudden or furious public storm than that created by "KNOW-NOTHINGISM." Crushed in the national contest and hopelessly riven in the Southern states, the Whig party found a temporary refuge in this new-fangled American party. It had a large following in Georgia for a while and a respectable one too. It was bitterly fought. Ex-Gov. McDonald, Howell Cobb, Alex. H. Stephens, Robert Toombs and Hiram Warner wrote strong letters against it, while Mr. Stephens made some of the ablest speeches of his career on this subject. The term of Mr. Stephens in Congress was out. He was uncertain of running again. He wrote a letter to Judge Thomas W. Thomas against Know-Nothingism in response to a request for his views. He was vigorously assailed, and declared to have made his political shroud, when, with that defiant audacity that has marked his life, he announced his candidacy and proceeded to test the issue of his "political shroud." His speeches were masterpieces, and he converted the shroud into a wreath of political laurels, returning to Congress by a majority of over 2,000.

The gubernatorial issue was Know-Nothingism. H. V. Johnson was almost unanimously re-nominated by the Democratic convention, of which James Gardner was president. The candidate of the Know-Nothings was Garnett Andrews, and the temperance men ran B. H. Overby. The contest was sharp and animated. Johnson was re-elected, his vote being 54,476 against 43,750 for the American candidate, and 6,261 for the temperance man, and his majority 10,726 over Andrews, and 4,465 over both of the other candidates. The American party showed a surprising strength, and illustrated how Know-Nothingism had clutched the country. Mr. Charles J. Jenkins, as in the presidential contest, followed a peculiar course. In a short and characteristic letter, he stated, "Being neither a Democrat nor a Know-Nothing there is no place for me in this contest."

As the reader will readily divine, Joseph E. Brown was a decided Anti-Know-Nothing. Its secrecy, its religious proscription, its warfare upon foreigners, little suited his republican tastes and political liberality. He was too thoroughly imbued with the spirit of our free institutions to

encourage ideas and theories so antagonistic to the genius of our democratic government. In his race for judge of the Blue Ridge Circuit the Know-Nothing issue was sprung against him, though Judge David Irwin, his opponent, claimed not to be a member of the order. Judge Irwin was one of the leading citizens of our state, and is living to-day respected and honored for his abilities and worth. He was in active political life in 1840, an ardent Whig. He was a candidate for elector on the Clay ticket in 1844. He was a decided Union advocate in the Southern Rights contest of 1850, and the years following. He had, to a large degree, the confidence of the people of his section. He had been elected to the bench in 1857, and was seeking re-election at the hands of people who knew and esteemed him in endorsement of a just and able administration of the law. It will thus be seen that a more formidable opponent young Brown could not have had.

The contest was lively and became acrimonious. Judge Irwin's friends attacked Brown savagely. Brown's friends were not slow to strike back without gloves. The press was kept warm with attacks and counter-attacks. The new county of Pickens, which was formed at the previous session of the legislature through the active agency of that well known legislator, L. J. Alred, and with the aid of Mr. Brown, gratefully remembered the latter, and at a meeting of the Democracy in Jasper in June, gave a ringing endorsement of Brown's candidacy. Irwin's friends charged that Brown was a partisan candidate and pulling down the bench into political mire; that Brown had sometime worn unlawful weapons, etc., etc. Brown's friends retorted that Irwin was a Know-Nothing; that he was slow in dispatching business, and had allowed the dockets to get behind; that he was afraid to keep order in the court; that he had always fought the Democracy, etc. The campaign showed how, in a hot struggle, good men can be belabored and lampooned. Brown gave his popular and powerful competitor a striking defeat. He had a reasonable majority to start with. But the fight strengthened Brown largely. He had the same methods then he has used since. He was aggressive, vigilant, untiring, arousing an impassioned interest in his friends, and recriminating with all the vigorous audacity of his nature. The truth is that Georgia has never had a more fearless and potential political fighter than Brown. Woe be it to his adversary who goes at no-quarter hitting and has a weak record. Cool, resourceful, relentless, our public annals show no more perilous political opponent than he has proven himself in such a multiplied variety of desperate battles as demonstrate that his masterly powers were natural.

Of the eleven counties in the judicial circuit Irwin only carried three by small majorities, Campbell, Cobb and Polk. The aggregate majority in the three counties was only 68; Cobb, Irwin's own county, only giving him two majority. The remaining seven counties, Cherokee, Fanning, Forsyth, Gilmer, Lumpkin, Paulding, Pickens and Union, gave Brown 2,898 majority; Union with her now historic Gaddistown standing gallantly to her young son by adoption with his famous bull-plowing experience, and rolling up for him a good solid majority of 517 in a vote of 1,000. It was a remarkable victory, especially in view of the strong man Judge Brown had to defeat. It was a fair, square fight too, even, equal and honestly won.

Judge Brown's administration of the bench was in many respects the most extraordinary phase of his public career. Though he had served only two years when he was called to a higher place of trust, his brief period of judicial presiding was eventful, and is a tradition of power and success in these mountain counties to this day. Numbers of anecdotes are current illustrating his salient qualities and positive management. He kept perfect order and an unbroken discipline. For years there had been a sort of steady drift to a loose, easy governing of the courts, so much so that it was a matter of complaint that it retarded the dispatch of business. Lawyers had acquired a large latitude of freedom. Much of the power of the judge had been gradually yielded in criminal matters, the injurious practice having grown of allowing solicitors to compromise the grade of verdicts on the basis of certain agreed amount of fines fixed beforehand. This of course tended to make the administration of criminal justice a matter of pecuniary accommodation to the prosecuting officer. Judge Brown was just the man to remedy these matters and he did remedy them. He had nerve for anything. He tackled these practices promptly. He instituted perfect order in the court-room, which aids the rapid dispatch of business. He drove through the dockets until he cleared them. He kept counsel to the point, and stopped legal discussion when his conclusion was reached. He made his mind up with that decisiveness that has marked him in all things. The opinion is universal in his circuit that he was the best judge they ever had. If he had any fault it was a leaning to severity. He kept juries and court officers to their duty. Jurors and counsel were always on hand to the minute.

At one of the mountain courts the Solicitor General got on a spree. The Judge promptly appointed a solicitor for the time in his place. The intoxicated solicitor started to rebel, when the Judge coolly

stopped the insubordination by quickly informing the officer that upon any further demonstration he should order him to jail.

At another court a drunken fellow, a very desperate rowdy and defiant of the authorities, came into the court room and made a good deal of noise. The Judge promptly fined him. The fellow paid the fine and started out staggering noisily, and making much fuss with his creaking boots. The Judge determined to make an effective example of him, and ordered the Sheriff to collect another fine for the noise he made in going out with his creaky boots. Thoroughly subdued and despairing of getting out noiselessly, the fellow slipped down on his knees and crawled out of the court house, humbly deprecating the Judge's wrath. The incident created much amusement and satisfied the people that Judge Brown meant to have order in his court. His iron will brooked no resistance to his legal authority. It must be held in mind that off from the railroads, in the rude mountain sections, men are more inclined to be impatient of restriction. There seems to be something in the mountain air that makes its citizens wilder when insubordinate. At the same time it is true that in those regions there is a very large measure of reverence given to the majesty of the law, as embodied in the Judge. He is a sort of an autocrat, and regarded with high respect as the powerful agent of the resistless and awful genius of the law.

In the intellectual and legal qualifications of a judge, perhaps there has never been in Georgia one to surpass Judge Brown. An analytical mind of unusual strength, close discrimination, patient research, quick legal intuitions, an exhaustive study of authorities, a logical power of argument and a clearness of statement extraordinary, constituted an array of elements of fitness for judicial duty rarely equaled. An unusually small proportion of cases in his ridings were taken up to the Supreme Court, and his decisions were rarely overruled. A firm, an honest, and an able Judge, he made the court honored as a model tribunal of justice. Frowning down unnecessary delays, he enabled suitors to get speedy trials. Adamantine in his stand against crime and criminals, he administered the criminal law with a resolute hand. He allowed no compromises with wrong, but struck down vice and violence whenever they showed themselves. Absolutely impartial, he was governed by neither favor nor prejudice, and decided the right as he honestly saw it, irrespective of personal considerations. A man of christian character, he held in earnest keeping the good of society and the preservation of morals. Possessing a business sense of marvelous practicality, he carried into the management of his courts that system, dis-

patch and energy, that have given him his steady and phenomenal success in his worldly matters.

This placid, positive, capable gentleman made a remarkable reputation as a Judge in his circuit, a reputation that in the land of telegraphs and railroads, mails and daily newspapers, would have carried his name broadcast, and made him a state fame. But, "cribbed, cabined and confined," in the remote hills of North-east Georgia, whatever his merit, he had little chance to be known outside of his hidden bailiwick. There he achieved a celebrity very marked. There was an iron force of character and a positive way of doing things that made the administration of this slender, quiet-mannered, calm-spoken Judge, a highly dramatic one.

He had come, however, to the edge of his destinies, that enlarged sphere of public duty for which nature had lavishly fitted him. And the transfer came curiously.

CHAPTER V.

GOV. BROWN'S SCRATCH NOMINATION FOR GOVERNOR IN 1857.

James Gardner, J. H. Lumpkin, and H. G. Lamar in Gubernatorial Conflict.—Gardner Wrecked by a Youthful Indiscretion.—L. N. Trammell's eye on Brown.—Incident of Trammell and S. J. Smith.—The Famous Convention.—Its Personelle.—Linton Stephens.—A Long and Heated Balloting.—A Dead-Lock for Three Days.—Gardner's Nemesis.—Experimental Voting.—The Slaughter of Gardner keeps on to the Others.—Fillibustering without Limit.—A Committee of Conference.—Colquitt's Graze at Governor.—A Chapter of Surprises.—The Gubernatorial Lightning Strikes Joe Brown, while he was Binding Wheat in the Mountains.—An Incident in 1880.—Dick Clarke's Speech.

THE gubernatorial campaign of 1857 was a very memorable one in Georgia politics. It was marked by much personal heat, it ended in a protracted convention, and had an utterly unexpected result. It finally settled the gubernatorial aspirations of some very prominent and distinguished men, and brought to the front by one of those scratches that sometimes occur in politics, an almost unknown individual who from that day to this has been the leading factor in public matters, who is to-day the most powerful citizen of our State, and whose future, if he lives and has his health, is big with great possibilities.

There were five prominent gentlemen for the high position of Georgia's chief magistrate, James Gardner of Augusta, Henry G. Lamar of Macon, John H. Lumpkin of Rome, Wm. H. Stiles of Savannah and Hiram Warner of Merriwether county. James Gardner, as editor of the *Augusta Constitutionalist*, had achieved a remarkable influence. A small, quiet-mannered gentleman, without any capacity for public speaking, he was possessed of more political writing ability than any editor we have ever had in Georgia. Bold and able, coming of a family known for their courage and decision, Gardner made himself a power in Georgia politics, and his paper yielded a tremendous influence. He was, however, a romantic instance of how youthful folly can wreck a strong man's greatest hopes. Gardner in his youth had been guilty of an indiscretion with a young lady, whose family was powerful enough to make him feel their resentment. The ghost of this folly followed him relentlessly. It was exaggerated and used like an avenging Nemesis.

It defeated him for the Democratic nomination for Governor, and blighted his political ambition.

John H. Lumpkin was the candidate of North Georgia, which section vigorously claimed the right to have the Governor. Lumpkin had been a Congressman and Judge of the Superior Court, and was a gentleman of excellent ability. Henry G. Lamar was one of the famous and brilliant Lamar family, that have been so conspicuous in the annals of State and Nation. It has been a family of genius and courage, a family adventurous and eloquent. Judge Lamar was a strong member of this notable and gifted blood. He, like Lumpkin, had been Judge and Congressman. Wm. H. Stiles of Chatham, was a stately and aristocratic gentleman, a writer of exquisite culture and a silvery tongued orator. He frequently served in the State Legislature. He possessed excellent abilities. Judge Warner we have spoken of. In addition to these, the name of Alfred H. Colquitt was also discussed, who became Governor in 1877, twenty years later.

A few friends of Judge Brown in his section, among them L. N. Trammell, Wm. Phillips and Sumner J. Smith, had their eyes upon him and determined, if there was any chance to do so, to press him for Governor. But the general mention of his name for the place even in his own section was not made, Judge Lumpkin being the accepted candidate of the section. Mr. Trammell told the writer that he and Smith rode down to the convention as delegates in a buggy together, and were united in the purpose to push Brown if possible. Col. Trammell has been a strong factor in State politics for twenty-five years. He was quite a young man then, with only ordinary facilities of education. His father was a gentleman of great force of character. Young Trammell has shown a remarkable capacity for political management, and as will be seen, in this very campaign he gave evidence of his power. Col. Smith was a large, powerful man, of extraordinary vehemence and volubility in speaking. In the Legislature, when he got into a controversy with any one, he had a habit of springing to his feet suddenly, rushing over in the vicinity of his opponent, pouring out the most fiery torrent of declamation with vigorous gestures, and then stopping suddenly, he would stalk back to his seat and drop into it with a startling suddenness. Tatum, of Dade county, a great wag, put a rousing laugh upon Smith in one of these controversies by rising and pointing his long finger at the rapidly retreating figure of Smith, exclaiming with mock solemnity the scriptural quotation, "The wicked fleeth when no man pursueth."

The convention of the Democratic party to nominate a Governor met

in Milledgeville, the 24th of June, 1857. There were 107 counties represented, with 399 votes. The President of the convention was Tenant Lomax of Columbus, the editor of the *Times*, a gentleman of fine attainments. Counties with two Representatives cast five votes, and other counties three votes. Among the delegates were Judge R. H. Clarke, O. A. Lochrane and James A. Nisbet of Macon; Alfred Austell of Campbell, now a wealthy banker of Atlanta; George A. Gordon and Philip M. Russell of Savannah; the latter a potential controller of Chatham county politics for the last quarter of a century; Wm. Hope Hull of Athens, now dead; Hugh Buchanan of Coweta county, Judge Thomas W. Thomas of Elbert, E. W. Chastain of Fannin, Judge Augustus R. Wright, J. W. H. Underwood and Daniel S. Printup of Rome, Thomas Morris of Franklin, John W. Duncan of Fulton, W. H. Dabney of Gordon, Linton Stephens of Hancock, F. H. West of Lee, C. J. Williams and Peyton H. Colquitt of Muscogee, Herbert Fielder of Polk, T. L. Guerry of Randolph, Julian Cumming and Geo. T. Barnes of Augusta, E. W. Beck of Spaulding, W. A. Hawkins of Americus, S. J. Smith of Towns, L. N. Trammell of Union, Geo. Hillyer of Walton, B. D. Evans of Washington, E. H. Pottle of Warren, D. B. Harrell of Webster.

Mr. Lochrane married a daughter of Henry G. Lamar; Judge Thomas of Elbert was in that day one of the pronounced and foremost men of the state. Judge Wright of Rome was one of the brightest thinkers and most sparkling orators we had, but an embodied independent. Col. Printup became afterwards a wealthy railroad lawyer. A smart little gentleman was John W. Duncan, whose regret was that he was foreign born, thus excluding him from being President. Col. Dabney was a profound lawyer, and since the war was well known as having been defeated for congress by the doughty Parson Felton, who so long politically ruled the seventh congressional district. The most powerful man intellectually in this convention was Linton Stephens, brother of Alexander H. Stephens. A nervous, sinewy person, there was an intrepid audacity of brain in Stephens, and a muscular vigor of logic that few men have. His nature was jagged and aggressive. He worked badly in joint harness. His unmalleable spirit illy brooked government, and was not suited to harmonious cöoperation. Positive and independent he had his own views of things, and was unbending in his convictions. We have had few men in Georgia the superior intellectually of Linton Stephens, but he was too uncompromising and outspoken to succeed by popular favor. He became judge of the supreme court, appointed by

Gov. Brown, and was afterwards elected and went to the legislature, but he never could get to Congress, where he would have been a conspicuous figure. Gen. C. H. Williams of Columbus became a gallant soldier of the war and a warm friend of Gov. Brown. Peyton H. Colquitt, brother of Gov. Alfred H. Colquitt, was a splendid physical specimen of a man, was rising rapidly when the war broke out, and but for his death in the bloody battle of Chickamauga at the head of his regiment would have gone up to high political preferment. Herbert Fielder moved to Randolph county and has been a leading figure in state politics since the war, having been pressed for Governor and United States Senator. Col. E. W. Beck was sent to Congress. E. H. Pottle and D. B. Harrell both became judges. Augusta has furnished a rare family of men, of which Julian Cumming was the most gifted. He had glittering charms of mind and speech, but died young. Another gentleman of unusual powers was Willis A. Hawkins, one of the most electrical talkers, and a superb advocate. He reached the Supreme Bench. Such was some of the material of this memorable convention.

A committee on resolutions was appointed, with Judge Thomas W. Thomas as chairman. Gen. C. H. Williams put in nomination Lamar; Samuel Hall, Esq., nominated Gardner; Thomas Morris presented the name of Lumpkin; D. B. Harrell nominated Stiles, and R. J. Willis presented Hiram Warner. The first ballot resulted as follows: Lumpkin 112, Lamar 97, Gardner 100, Warner 53, and Stiles 35. Gardner showed a clean pair of heels and steadily rose to 141 on the sixth ballot, with Lumpkin 124 and Lamar down to 46. A sharp fight was made over the right of alternates to vote, and resulted in their being allowed to do so. After the eighth ballot, Lamar having fallen to 35 with Gardner at 152 and Lumpkin 122, Lamar's name was withdrawn, and the ninth ballot resulted with Gardner 172, Lumpkin 127, and Warner 64. Mr. George Gordon then practically withdrew the name of Wm. H. Stiles in a neat speech, saying that it was not the purpose of the Chatham delegation to present the name of Stiles at the opening of the convention, hoping if no selection could be made from the more prominent candidates the convention would unite on him. A delegate from another county had put in Col. Stiles, and the Chatham delegates could not withdraw him, but he begged those who had been supporting him to feel at liberty to vote for any one else. No one but a Savannah man could have made this diplomatic speech. By this time the convention had become thoroughly heated up. The alignments were distinctly drawn. The fight on Gardner became desperate. The Nemesis of that



William H. Stiles

HON. WM. H. STILES, EX-U. S. MINISTER TO AUSTRIA.

youthful indiscretion stalked openly and importunately into the battle. Experimental votes were shot in for one after another of new men, Henry R. Jackson, Joseph Day, T. W. Thomas, J. H. Howard, H. Cobb of Houston, E. Starnes and J. N. Bethune.

Gardner's friends made a tremendous effort on the tenth ballot and strained his vote to 173, but it was the top notch that he reached. On the eleventh ballot he tumbled to 151, and it was evident that he was slaughtered and his chances gone. After the thirteenth ballot a short patriotic letter from Gardner to Col. Clanton, the chairman of the Richmond county delegation, written on the 19th of June, five days before, was read. It was a ringing little letter, characteristic of Gardner. It said that a contingency might arise where his nomination was impracticable; that a harmonious union on a candidate was indispensable, and he regarded party harmony as above the success of any member of it; if it became necessary he authorized the withdrawal of his name. And his name was taken out, and his gubernatorial hopes were forever dead. He was out, but a spirit had been raised that would not down. The slaughter continued, and Gardner's friends prolonged the funeral. Thomas hoped his friends would not vote for him.

The name of Lamar was re-introduced by Gen. Williams. The fourteenth ballot was taken amid a suppressed but fiery excitement. A solid legion of 151 votes were turned loose, and the seething body was burning to see where lightning would strike. Lumpkin bounded to 179, Lamar had 137, Warner took his original 53 with three more, Stiles received 4 and Alfred H. Colquitt plumped in with 10. Lumpkin's friends became almost delirious. It looked as if his chances were sure at last. Their enthusiasm was unmeasured. The announcement of the ballot brought a storm of applause from them, and the next ballot was taken with feeling at fever heat. Mr. Harrell withdrew the name of Stiles, and the fifteenth ballot was taken, showing that Lumpkin had gained four votes, standing 183, Lamar 140, Warner 61, and Stiles 4. Lumpkin had reached in this ballot his highest point. On the next ballot he fell off, and though he rallied to 179 again, there was an unmistakable dead-lock. The balloting went on to the twentieth, extending the session of the convention to the afternoon of the third day. The feeling was intense, and seemingly implacable. The Gardner men stood resenting his treatment and immovable. New names were flung into the contest but unavailingly. Votes were skirmished upon W. W. Holt, Geo. A. Gordon, J. W. Lewis, H. V. Johnson, E. J. Harden, A. R. Wright of Floyd, John E. Ward, and even three were

thrown on the nineteenth ballot to Jos. E. Brown. There was filibustering without limit. Strong speeches of appeal in behalf of each candidate were made, but there was the hot dead-lock unbroken and unbreakable. Col. Pottle futilely moved the abandonment of the two-thirds rule. On the nineteenth ballot Warner was withdrawn. One more ballot was taken as a final test. It stood Lumpkin 179, Lamar 175, Warner 1, H. V. Johnson 11, Wright of Floyd 5, John E. Ward 3, J. E. Brown 3.

The realization was universal that there could be no nomination in the continuance of the conflict. No man had even reached a bare majority, much less a two-thirds majority. The convention was wearied and ripe for compromise. Mr. Wm. Hope Hull of Athens moved that a committee of three from each District, to be selected by the delegates from the District, be appointed to report a mode in which the convention could be harmonious, and a nomination be made. This was done.

That quick-witted and unequalled political manager, Col. L. N. Trammell, saw his opportunity for Brown, and in the meeting of delegates of the 6th District he moved the selection of the chairman and then promptly moved that three gentlemen, whom he knew to be Brown men, be appointed as the committee men from his district. The committee of 24 were as follows :

1st District, R. Spaulding, G. A. Gordon, Wm. Nichols.

2d District, C. J. Williams, N. McBain, J. A. Tucker.

3d District, R. H. Clark, J. A. Ramsay, B. F. Ward.

4th District, H. Buchanan, W. T. Thurmond, W. Phillips.

5th District, J. W. H. Underwood, E. W. Chastain, W. Shropshire.

6th District, S. J. Smith, J. E. Roberts, W. H. Hull.

7th District, L. Stephens, Wm. McKinley, J. M. Lamar.

8th District, I. T. Irwin, A. C. Walker, E. H. Pottle.

The committee retired. Wm. H. Hull and J. A. Tucker, both dead, are responsible for the following extraordinary scrap of secret history. In the committee it was first proposed that a ballot be taken, each one writing his preference on the ballot. The ballots were written and deposited, but before they were read, Linton Stephens stated that such a formality was not necessary, and moved that Judge Joseph E. Brown of Cherokee be selected as the compromise man, which was promptly carried by voice, and his name reported to the convention. Through curiosity the written ballots were counted, and Alfred H. Colquitt was found to have had a majority of one. It was a close shave to becoming the Governor of a great state at the youthful age of 31. Had the ballot have been examined and announced, what a change of result.

It is curious to follow out the incident. Joseph E. Brown thus unwittingly defeated Alfred H. Colquitt for Governor after Colquitt had been really nominated. Twenty years later, Colquitt became Governor of Georgia, winning in an easy fight the place that he held in his grasp by an accident so long before. Twenty-three years later Colquitt, as Governor, appointed as United States Senator Governor Brown, who took the governorship from him so many years ago. And this was followed by Gov. Brown aiding Gov. Colquitt to a re-election as Governor in 1880, in the fiercest and most protracted personal and political battle ever witnessed in Georgia. The matter certainly contributes a singular and romantic chapter of accidents, surprises and coincidences. Judge Hawkins, who was in the convention, told the writer that Colquitt had a strong following for Governor then.

But to Joseph E. Brown fell the glittering prize, dropping to him like heaven-descended manna, unsolicited, unexpected, the outcome of a heated struggle, and a providential gift born of a state political convulsion. Not the least curious of the incidents of this remarkable nomination is the undoubted fact, that at the very hour when this magnificent honor was being conferred, Judge Brown was working in his wheat-field on his farm, far away from the telegraph and railroad, in the quiet, distant county of Cherokee, unconscious of his exalted preferment. The incident keeps up the romantic character of the nomination, as well as preserves the consistency in the dramatic career of this homespun man. In the fall of 1880 the following incident took place as narrated by the *Atlanta Constitution*, which furnishes Gov. Brown's own testimony to the fact.

"Gov. Brown on his way to Canton a few days ago, remarked to some men who were near Canton: 'That is the field, gentlemen, that I was tying wheat in the day I was first nominated as Governor of Georgia,' pointing out a field laying along Town Creek. 'I was then Judge of the Blue Ridge Circuit,' he continued, 'and I came home one day, and after dinner I went to the field to see how my hands were getting along with their work. I had four men cutting wheat with common cradles, and the binders were very much behind, and I pulled off my coat and pitched in, about half after 2 o'clock p. m., on the 15th of June, 1857. The weather was very warm, but I ordered my binders to keep up with me, and I tell you it made me sweat, but I pushed my binders all the evening. About sundown I went home, and was shaving myself and preparing to wash myself for supper, when Col. Sam'l Weil, now an attorney in Atlanta, but then living in Canton, rode up rapidly to my house. He came in and said excitedly to me: 'Judge, guess who is nominated for Governor at Milledgeville?' I had no idea that I was the man, but I thought from what I had heard that John E. Ward was the most prominent man, so I guessed him. 'No,' said Col. Weil, 'it is Joseph E. Brown, of Cherokee.' Col. Weil was in Marietta when the telegram came announcing my nomination. I subsequently ascertained that the nomi-

nation had been made about three o'clock that day, and at the very time I was tying wheat in this field. They say in Canton that two or three men have been trying to buy this field latterly. They want to sow it in wheat year after next."

Mr. I. T. Irwin of Wilkes, chairman of the committee of 24, reported to the convention the action of the committee, in a neat speech. Richard H. Clark of Bibb made the following characteristic and admirable speech in support of the report of the committee:

"Unlike the gentleman who preceded him, he was acquainted with Hon. Joseph E. Brown, had served with him in the Senate, knew him to be a man of sound principles, clear head, unquestioned ability, and speaking powers of the first order. The reputation made by him as a member of the legislature was of the first order. He is a man of unexceptionable character, in every respect, private or public. He is young enough for the services of the campaign, and for a long career of usefulness, and not too young for a matured judgment, and prudent counsels. His fellow-citizens have promoted him to the Judgeship of Blue Ridge Circuit, in which position his reputation as a man of intellect and integrity, has steadily increased. He comes from Cherokee, the stronghold of Democracy, and the balance of the state *take pride* in nominating him as a proper tribute to them, and will take *greater pride* in electing him."

This was a graceful and merited tribute from a high source to Judge Brown. The nomination was made unanimous. Resolutions reported by the committee on business, were passed, commending the administration of James Buchanan as President, and H. V. Johnson as Governor, and the course of our United States Senators, Hon. Robert Toombs, and Hon. Alfred Iverson. The main resolution, however, was one condemning the inaugural address of Governor Walker, of the territory of Kansas, which prescribed the terms on which Kansas should be admitted into the Union as a state, and expressed the opinion that Kansas would be a free state; and the resolution declared Gov. Walker's course a gross departure from the principles of non-intervention and neutrality established by the Kansas bill, and expressed confidence that Mr. Buchanan would recall Gov. Walker.

The convention adjourned, having appointed a committee to notify Judge Brown of his nomination.

CHAPTER VI.

BROWN DEFEATS BEN HILL, IN A HARD CANVASS.

"Who is Joe Brown? the Query of the State.—The Know-Nothing Convention.—Its Personelle.—Dr. H. V. M. Miller, the "Demosthenes of the Mountains."—"Ranse Wright."—B. H. Hill Nominated.—An Earnest Campaign.—Brown's Practical Speeches.—The Calico Bed Quilt, and the Cherokee Girls.—The Real Issue Know-Nothingism.—Great Gatherings.—Southern Conventions.—Brown and Hill lock Horns.—A Tilt between Severe Common Sense and Splendid Rhetoric.—Brown's Phenominal Développement.—Sharp Sparring—Brown, "D——d sound in his Doctrine."—Porter Ingram's Retort.—The Mountain Plow Boy Judge elected Governor over his brilliant Rival.—Know-Nothingism buried forever in Georgia.—Gaddistown Triumphant.—The Man for Revolutions had come.

Who is Joe Brown? was the earnest inquiry that rang over the state upon the adjournment of the Convention. It came sneeringly from the opposition press. It was echoed interrogatively by the Democratic papers. The pæans of local fame in the mountain countries, unpenetrated by the iron track, had not sounded beyond their borders. A brief service in the State Senate was easily forgotten in eight years of stirring public event, when one remained in the back ground out of sight. In a lively sketch in the *Constitution*, "H. W. G." thus refers to this matter:

"General Toombs when in Texas, hearing that Joe Brown was nominated for Governor, he did not even remember his name, and had to ask a Georgia-Texan 'who the devil it was.'

"But the next time he met him he remembered it. Of course we all remember when "Know-Nothings" took possession of the whig party, and Toombs and Stephens seceded. Stephens having a campaign right on him, and being pressed to locate himself, said he was neither whig nor democrat, but "was toting his own skillet," thus introducing that homely but expressive phrase into our political history. Toombs was in the senate and had time for reflection. It ended by his marching into the democratic camp. Shortly afterwards he was astounded at seeing the standard of his party, upon the success of which his seat in the senate depended, put in the hands of Joe Brown, a new campaigner, while the opposition was led by Ben Hill, then as now, an audacious and eloquent speaker, incomparable on the stump. Hill and Brown had had a meeting at Athens, I believe, and it was reported that Brown had been worsted. Howell Cobb wrote Toombs that he must take the canvass in hand at once, at least until Brown could learn how to manage himself. Toombs wrote to Brown to come to his home at Washington, which he did. General Toombs told me that he was not hopeful when he met the new candidate, but after talking to him a while, found that he had wonderful judgment and sagacity. After coquetting with Mr. Hill a while, they started out on a tour together,

going to south Georgia. General Toombs has talked to me often about this experience. He says that after two or three speeches Governor Brown was as fully equipped as if he had been in public for forty years, and he was amazed at the directness with which he would get to the hearts of the masses. He talked in simple style, using the homeliest phrases, but his words went home every time. There was a sympathy between the speaker and the people that not even the eloquence of Toombs could emphasize, or the matchless skill of Mr. Hill disturb. In Brown the people saw one of themselves—lifted above them by his superior ability, and his unerring sagacity—but talking to them common sense in a sensible way. General Toombs soon saw that the new candidate was more than able to take care of himself, and left him to make his tour alone—impressed with the fact that a new element had been introduced into our politics and that a new leader had arisen."

The American or Know-Nothing party held a convention. Fifty-seven counties were represented. The gentlemen most prominently spoken of for the American nomination were Dr. H. V. M. Miller, Judge Robert Trippe, B. H. Hill, A. R. Wright of Augusta, General J. W. A. Sanford, Judge Baxter, and Col. John Milledge, a bright, brainy, eloquent galaxy of men. Dr. Miller, though a physician, had won the soubriquet of the "Demosthenes of the Mountains" in his innumerable political encounters, for which he had the same passion that the Irishman is popularly believed to have for a "free fight." Deeply versed in constitutional law and political lore, a reasoner of rare power, and as fine an orator as we have ever had in Georgia, capable of burning declamation and closely-knit argument, he was the peer on the stump of any of the great political speakers of the last half century in Georgia. Unfortunately for him, he had two perilous peculiarities, a biting sarcasm that delighted in exhibition of its crushing power, and that spared neither friend nor foe, and a contemptuous and incurable disregard of party affiliations. He never in his life worked in harmony with any party, or swallowed whole, any single party platform. And no man ever had more stubborn independence and self-assertion.

Ranse Wright, as he was called familiarly, was another brilliant person, a strong impassioned speaker, with a high order of mind. He was at times too self-willed and combative. He could not temporize enough, often raising unnecessary antagonisms. But he was a very gifted man, a powerful writer, an effective orator, and a rare lawyer. He made the *Augusta Chronicle* a newspaper power. He was a long time disappointed in political preferment, but he finally received the promotion he so richly deserved, and was elected to Congress, but died soon after, just when long delayed gratification of his ambition was especially dear to him, and his ripe maturity of mental gifts gave large promise of brilliant public usefulness. He was a very handsome man of the

blonde order. He was offered the Know-Nothing candidacy for Governor, but finally declined. Among the other leading Georgians who were members of this party, were, F. S. Bartow, Jas. Johnson, N. G. Foster, A. J. Miller, Wm. H. Crawford, Washington Poe, E. G. Cabaniss, James Milner, F. H. Cone, Jno. McPherson Berrien, C. Peeples, C. A. L. Lamar, J. A. Billups; ——— Stapleton, E. A. Nisbet, Thomas Hardeman, and others.

The American Convention put out Mr. Benjamin H. Hill as its nominee. Mr. Hill in some respects is as wondrously endowed a public man as the state has ever known. Tall and of commanding presence, with a marvelously mobile face, he has never had a superior in oratory and pure mental power in the commonwealth. It falls to the lot of few men to have such magical potency of speech, such irresistible mastery of assembled masses of men. A mind clear as a sunbeam in its intellectual perceptions, operating with a grand simplicity and invincible strength, and a capacity of expression so fluent, so luminous, and so intense as to be perfect, form a brace of qualities that make the man a demi-god in brain and eloquence. But he has somehow lacked the steady purpose and cool judgment that belonged so richly to Governor Brown, and Mr. Hill has not been what could be called a successful political leader, though he has won valuable victories. A pyrotechnical politician, he has had hosts of impassioned admirers, and generally an ardent minority following in the state. His superb abilities have won him office, in spite of defects that would have been fatal to a less gifted man. He is now in the Senate, where he has it in his grasp to achieve a great fame. His nomination by the Americans in 1857, created a sensation, and his party exulted in his certain triumph over his plain and unknown competitor.

The campaign became an earnest one. Judge Brown was greeted with a ratification meeting at Canton, his home, and made a strong, sensible speech, full of practicality. He referred modestly to his past career. He discussed the Kansas matter, condemning the course of Gov. Walker and upholding Mr. Buchanan. He touched upon State matters, foreshadowing his purpose to make the State road a paying enterprise—a purpose carried out with signal success. He promised to call around him safe counsel, and administer the State government for the best interest of the people. His letter of acceptance of the nomination was brief, and a model of good taste and sound statesmanship. It was like the man, clear and wise, and it excellently typified his intelligence. Two parts deserve reproduction. He said:

"The circumstances of my nomination preclude the idea that I have made any promises either express or implied; and I shall neither make nor intimate any, to any one, as to the distribution of executive patronage in the event of my election. If your nomination voluntarily tendered, should be ratified by my fellow-citizens at the ballot box, I shall enter upon the discharge of the duties of the important official trust which may be committed to me, perfectly free and independent of personal obligations. I shall exercise all power I shall have under the constitution and laws according to my best judgment, with an eye single to the promotion of the public interest, holding as I do, that those powers are granted for the sole purpose of upholding and advancing the rights and interest of the people."

The following paragraph is a remarkably fine one, and embodied in a nutshell the Democratic creed:

"The Union is the effect of the Constitution. We value it. We cherish the Constitution as its foundation, and because it provides the wisest plan of government for confederated States, and secures, if properly administered, the blessings of civil, religious and political liberty to the people. With hearts of patriotism we are devoted both to the Constitution and to the Union."

The committee of notification were C. H. Williams, Geo. N. Phillips, E. D. Tracy, Wm. Phillips, Lawson Fields, W. Hope Hull, R. M. Johnston and Wm. Schley.

Much amusement was created and an infinite deal of fun was expended by the opposition press over the fact that the ladies of Cherokee Co. presented Judge Brown with a calico bed-quilt in honor of his nomination. The Democratic press turned the matter effectively in Brown's favor. The incident took with the rural masses. Says the Milledgeville *Union*, concluding a witty article on the subject:

"All we have to say is—go ahead gals—give Joe Brown just as many calico bed-quilts as you please—it will be a compliment to the *Mountain Boy*, and save the state some hundreds beside. Hurrah for the girls of Cherokee, the plough-boy Judge and the calico bed-quilt."

The Cherokee girls and their calico bed-quilt became a slogan of victory for Brown.

Mr. Hill was notified of his nomination by a committee composed of Hines Holt, R. J. Morgan, and J. W. Jones. His letter of acceptance was confined almost to an elaborate discussion of the Walker-Kansas matter, and a rasping indictment of President Buchanan, and said very little on State matters, and that merely a general expression of opposition to the Democracy.

The Georgia Democracy was divided upon the subject of Walker's inaugural in Kansas, and the resolution of the Democratic convention condemning Walker had created some spirited discussion in the Demo-

cratic press. The Know-Nothings hoped to profit by this division. They very adroitly assaulted Walker, but held Buchanan responsible, and assailed him and the National Democracy.

The real issue of this gubernatorial race was a tapering continuation of the ephemeral but fiery Know-Nothing agitation. It was a stormful flurry while it lasted. The people of Georgia especially took the swift epidemic hard, and had a tumultuous paroxysm of it. Along in 1856 there were mammoth mass meetings running up into the tens of thousands. October 17th and 18th, 1856, there was a vast Democratic gathering in Atlanta, fully 15,000 people present. Thursday the 17th, John A. Calhoun, W. A. Wright of Newnan, George Hillyer of Walton county, and R. J. Moses of Columbus, spoke. And on Friday the 18th, Robert Toombs, Alex. H. Stephens, B. C. Yancy, Hiram Warner, Thos. P. Saffold and L. J. Gartrell made speeches. Col. James Gardner was chairman of the huge affair. A banner was given to Newton county as the one sending the largest delegation.

In October, Toombs spoke in Augusta against Know-Nothingism in a noisy tumult. Savannah had upon this inflammable question the hottest municipal struggle she had experienced in years. The Democrats nominated Dr. Jas. P. Screven; and the American party Col. E. C. Anderson—both representative citizens. Dr. Screven was a stern, slender, wealthy little gentleman, a most positive and influential leader. Col. Anderson was a large, genial, frank-mannered gentleman of a worthy and powerful family of the old and honored inhabitants of the place, a man of independence and brain. This fine old city was convulsed with this contest. It was a close race, the two mettled racers running nip and tuck. But the Democratic candidate came in on the home stretch with 1,101 votes against 971 for the Know-Nothings.

The Democratic mass meeting in Atlanta was followed by an equally huge convocation of the earnest Americans. This was October the 2nd, 1856. The lowest estimate of the number present was 12,000. Hilliard, Alford, Hill, Miller, Trippe, Wright and others spoke. At this meeting an ominous incident occurred. In raising a flag on a lofty pole, John McGehagan, a delegate from Morgan county, fell from the pole eighty feet to the ground and died in a few minutes.

In December, 1856, the Southern convention, called in the interest of Southern prosperity, met in Savannah. It had assembled in Richmond in February, 1856, and adjourned to meet in Savannah. Southern conventions were held at Macon, Augusta and Charleston in 1838 and 1839, Memphis in 1845 and 1849, Baltimore in 1852, New Orleans in 1851 and

1854, and in Charleston in 1855. Among the objects of these conventions were the valuable ones of enlarging Southern industries and diversifying Southern agriculture. Upon these industrial questions both parties were united, but upon the policy as to guarding Southern political rights the two were very widely apart, and the gubernatorial battle involved largely the national issue. The Georgia Know-Nothings were getting uneasy about their name, and showed some anxiety to get rid of this objectionable designation and establish their title as the American party. Linton Stephens, who was nominated in the seventh district, in his letter of acceptance made the most incisive and trenchant presentation of the issues.

The discussion between Judge Brown and Mr. Hill began at Newnan. It would be difficult to conceive two more radically different men in mind and methods. Mr. Hill was and is a hard foeman to tackle on the stump. He is both showy and strong. He had brilliant repute as a political controversialist. Judge Brown was unshowy, conversational and unknown. Both were bold men. Hill was imprudent sometimes, Brown never. Brown was just the man to puncture imaginative rhetoric. When the heat occasioned by Hill's entrancing declamation had passed off, Brown had the faculty to put the common sense of the situation in a clear, direct, unanswerable way. Brown was cool, wary and ready-witted. In his first speeches alone he did not pass for his real worth. His conversational talks disappointed expectation. But he grew wonderfully. And discussion drew out his power. Hill made some inaccurate statements. Brown used these inaccuracies with tremendous effect. Hill was magnificently mature. Brown improved with an accelerating rapidity every trial. It was with him a constant and marvelous development. Every discussion added to his controversial capacity. He never winced under a blow no matter how severe, and the harder he was hit the harder he struck back. Without humor he yet had a grim perception of incongruity that he put so plainly that it was like humor. The Democratic press crowed lustily over some of Brown's strokes at Hill. At Newnan, Brown said that the Federal government should act slowly. Hill replied that Buchanan was too *slow* a President for him, that he believed in a *fast* government, and he was afraid Brown would make too slow a Governor. Brown retorted very happily and tellingly upon his bright rival.

"It was true he was not a fast man. Mr. Hill was a *Fast Young Man*, he was a *Fast Candidate*, and if elected would doubtless make a *Fast Governor*. As for himself he was a slow man, and if elected would make a slow Governor. He liked Mr. Buchanan

for his slowness and prudence in deciding upon great questions affecting the people. Every President, holding in his grasp the destinies of a mighty nation like ours, should be cautious and slow to act."

The applause was lively over this palpable hit, and no little badinage was used at Hill as the "Fast Candidate," afterwards. At Columbus they met. Columbus is a very fastidious place, used to city manners and college graces. Mr. Hill therefore suited better the ideas of such an audience with his more showy declamation and impassioned utterances. Judge M. J. Crawford tells the good anecdote that while the Know-Nothing side was endeavoring to depreciate Brown for his plain ways and homely talking, Mr. Porter Ingram came to the rescue and turned the tables by saying earnestly that Brown was "d—d sound in his doctrine," unconsciously putting the invincible excellence of the man into the terse brevity of an axiom. The two candidates did not have many discussions. They each had their separate appointments, and there was a good deal of sparring about being afraid to meet the other. Judge Brown in all of his appointments invited Mr. Hill to be present. The result was a foregone conclusion before the election. The American party only claimed that they would reduce the Democratic majority.

There were several exceedingly racy Congressional contests going on that added considerable piquancy to the gubernatorial fight. The two Stephens brothers were both running for Congress and both on the stump making effective speeches. Linton Stephens' opponent was Joshua Hill, a gentleman of very superior ability. Hill's letter of acceptance was a model of political satire. He made a happy use of the Democratic predicament in condemning Walker but approving Buchanan whose appointee Walker was. Linton Stephens and Joshua Hill were marked opposites, one vehement and intense, the other placid and plausible. In the First District, James L. Seward was the Democratic nominee against that most brilliant Savannah gentleman, Francis S. Bartow. Seward was cool, adroit, managing. Bartow was eloquent, impulsive and wholly artless. The other Democratic candidates for Congressmen were, Martin J. Crawford, L. J. Gartrell, James Jackson, David J. Bailey, A. R. Wright of Rome.

A leading issue in the canvass was the sale of the State road, Mr. Hill being for its unconditional sale, and Brown advocating its disposition only upon advantageous terms to the State. The road had been a source of expense to the State, and there was a good deal of desire that the State should dispose of it in some way.

The election resulted in the success of Judge Brown over his gifted

competitor by an increased Democratic majority over the majority in 1855. The mountain plow-boy Judge ran with a nimble pair of heels and came in over 10,000 votes ahead. Alex. Stephens beat T. W. Miller easily for Congress. Joshua Hill left out Linton Stephens by a close shave of 275 votes. Robert Trippe, the Know-Nothing, beat David J. Bailey by a small majority. James L. Seward whipped out both Gaulden and Bartow. L. J. Gartrell, A. R. Wright and James Jackson went in over Tidwell, Tatum and Simmons by large majorities. And a Legislature was elected overwhelmingly Democratic. It was certainly a crushing victory for the Democracy, and it buried Georgia Know-Nothingism forever out of sight. It was the practical end of that short-lived but animated political doxy. After this, with a few mild flickers, it disappeared out of Georgia politics. Graver issues were rising, that involved something more than mere party success. The shadow of great events, drifting to an awful culmination, was darkening the country. Mightier matters than political changes were pending. The spirit of revolution, cruel and implacable, was surely preparing for its colossal work of rupture and upheaval. And amid the marked forces of that vast civil convulsion, was the young plow-boy of the Georgia mountains, the hero of the calico bed-quilt, slender, obscure and homely, who had just won in a gallant battle the glorious Governorship of his great State. Talk of Providence and romances! Both were united in the philosophical chances of this pivotal election. The man for the times had come, iron-willed and fitted for revolutions.

CHAPTER VII.

BROWN'S ELECTION AS GOVERNOR THE PRECURSOR OF A STRIKING ERA OF CHANGE.

The Drift to a Stately Regime Checked.—A Popular Revolution.—The Antithesis of Gov. Johnson and Gov. Brown.—The Aristocrat and the Man of the People.—Brown's Inauguration.—His Appearance.—The Bank Suspension.—Brown's Declaration of War on the Banks.—The General Assembly of 1857.—Its Personelle.—John E. Ward.—John W. H. Underwood.—Robert Toombs.—Joseph Henry Lumpkin.—Toombs the Genius of the Impending Revolution and its Providential Instrument.—An Analysis of the Great Slavery Issue Pending.—A Conflict between Legally Fortified Wrong and Unconstitutional Right.

THE inauguration of Gov. Joseph E. Brown stamped the beginning of a new era in Georgia. In the course of state progress and individual advancement, families of talent, decision and wealth had become aristocratic and dominating. The cities had steadily grasped controlling power, representing culture and accumulations of bank capital and corporate influence. In the executive administration there was a tendency to costly display and court entertainment, far removed from the Republican simplicity supposed to belong to our free institutions. Men of high family connections and polished manners had the best chances for public honors.

In this drift of things to a stately and aristocratic regime, the election of a simple man of the people like Gov. Brown, representing to the fullest extent popular customs and ideas, was a decisive check to this tendency. Coming direct from the country people, and the mountain country at that, symbolizing severe simplicity of life and utter absence of social display, Gov. Brown's elevation to the chief magistracy of our great and growing commonwealth was a shock to the dominant public men and their views and practices. It meant serious innovation upon existing customs. It meant a grave warfare upon powerful institutions and cherished influences. It betokened an important revolution in well-established prejudices. It foreshadowed a severe struggle between conflicting theories of both social and financial government. And it seemed as if fortune had hit upon the right agent to conduct such a contest—an agent embodying the ideas he championed—an agent, earnest, firm-nerved, with unerring, intuitive popular discernment.

The writer at that time was just about grown, had been closely familiar with administrations for several years previous, and was well situated to be impressed with the new regime. Gov. Johnson, who preceded Gov. Brown, was an aristocrat intellectually and socially. He did everything in a royal way. He had little popular tact, knew nothing of popular influences, and how to reach the masses. To strong intellect he added classic culture, and attached great value to courtly proprieties. He paid a large measure of deference to custom and social and intellectual authority. Gov. Brown was the opposite—socially a democrat; looking under the garb for the throbbing heart and breathing humanity. He did everything simply and plainly, disliking display and averse to forms. He was full to the brim of popular ideas, had an almost infallible popular tact, knew wisely every popular influence, and had the keenest power of reaching the masses of any public man we have ever had in Georgia. His powerful mind sought nothing from ornament, dealt in no rhetorical finish, and was disregardful of ceremony. He was free from any sentiment of reverence for custom or authority unless his judgment approved. He gave no homage to power, and never hesitated to tackle it boldly. Social influence and official prestige affected him not at all. And yet Gov. Brown was under the strong despotism of old-fashioned and primitive ideas of moral government. But for either social glitter or the glamour of official distinction, he cared nothing. Whether fighting banks, legislature, the press, or a Confederate administration, this simple, plain-mannered man of the masses took up the wager of battle with a cool confidence in himself, and an invincible, unyielding spirit that was something dramatic. He was certainly a native-born belligerent. Nature had endowed him with powers of intellectual combat that few men possess. He showed himself at once a positive influence and a new and acknowledged successful leader on a large arena.

His inauguration, in 1857, is well remembered. He was thirty-six years of age. His figure was boyishly slender and fragile, but very erect. His face was cleanly shaven, rather square-shaped and oblong, having no comely attractiveness about it, and yet a pleasant, placid countenance, with a mild expression in marked contrast with his iron temper and combative disposition. His mouth was wide and thin-lipped, something like Henry Clay's, though not so extensive, and to a close observer indicating in its set the firmness of the man. His eyes had a gentle expression that in his smiling moods threw some sunshine over an otherwise rather expressionless face. His forehead

was very high and a good demonstration of the phrenological theory that the brain is symbolized in the formation of the head. His hair was dark and lay close to his head and behind his ears, leaving a clear outline of the pale, bloodless face. His composure was perfect, though his manners, while not easy, were not awkward. There was about the man the quiet, steady calm of conscious brain power and self-reliant manhood, but none of the grace of the man of society. His country raising was distinct, and in his very clear and not at all musical voice there was the peculiar accent, long and tending to a rather drawling tone, with an emphasis on the concluding syllable of words that marks rural pronunciation. His use of the word *judgment* for instance, with a perceptible accent upon the syllable "*ment*," has given rise in connection with his wonderful possession of the golden quality of practical sense to the soubriquet of "*old judgment*," alike in recognition of his clear brain and his method of speaking. His garb was a plain black without attempt at fashionable fit, neat and simple. His very appearance and country marks but rendered him the more observable in his high promotion, and created a varied commentary upon him. His canvass had somewhat introduced him to the people, but he was still generally unknown. He was emphatically a new man, with his appearance unfavorable in impressing upon strangers his genuine power, and giving no indication of his uncommon qualities of will and ability. Those who knew him well staked confidently upon his being equal to the new situation of responsibility. Those who did not know him, and they were the overwhelming majority, underrated him woefully. And, supplementing the impression made by his appearance with the accident of his nomination, they rated him low. Nor did his brief inaugural allow much room for display of power. Yet brief as it was, and purely formal as it generally is, Gov. Brown threw out in his quiet way and in a few deliberate words an utterance that fell like a bomb-shell upon the State, that occasioned one of the toughest and most dramatic public battles of his career, and that gave a startled State a pretty fair example of the extraordinary mettle of this untried and youthful country Governor.

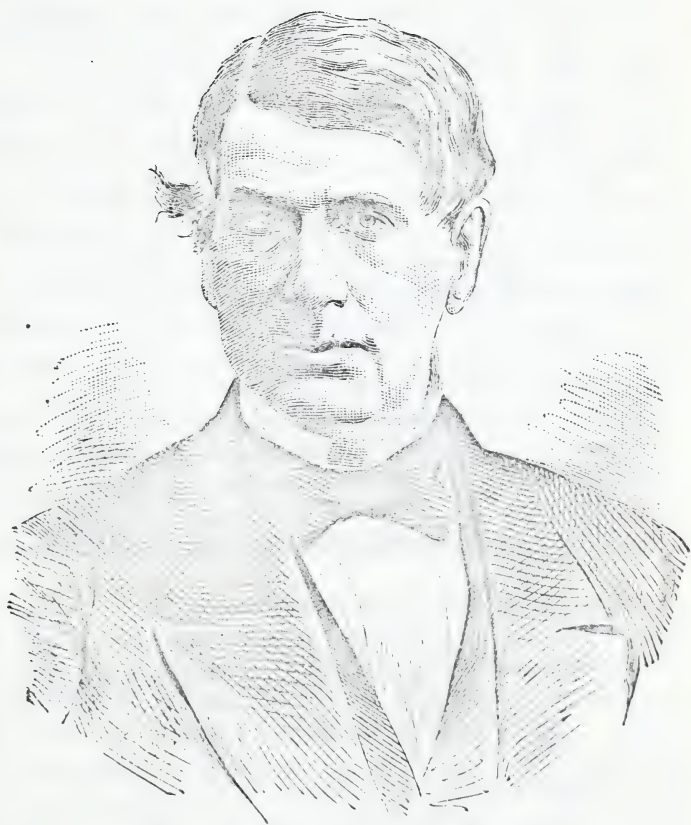
Before Governor Brown's inauguration and during Governor Johnson's incumbency the banks had suspended specie payment. Gov. Johnson in his message stated that "in the midst of prosperity and remunerating prices for the products of agriculture our banks have generally suspended specie payments, resulting in panic, broken confidence and general stagnation in commerce."

He stated further that he had taken no action, as the banks claimed

to have acted in self-defense against heavy drafts on their coin from the North, and he thought it prudent to submit the matter to the Legislature soon to assemble, and he left it to them whether they would legalize the suspension; and he cautiously intimated that perhaps it would be better to do so, first, however, instituting rigid inquiry to ascertain the sound banks. At this time the banks of Georgia had \$12,040,000 of capital with \$5,663,000 circulation, and were in a fine condition. Enthroned in the cities, representing the available money of the State, animated by the shrewd and cultured financial intelligence and wisdom of the successful capitalist, these banks constituted a formidable power, and any interference with them was a tremendous responsibility. Gov. Johnson, always a cautious man, handled the vast subject tenderly, and finally threw the grave responsibility on the Legislature.

Estimating the question properly, its magnitude and consequences, some conception may be formed of how the placid young, rustic Governor stirred the State by announcing in his provincial accents, that in their unimpassioned utterance gave no indication of the grim nerve and intelligent purpose that lay behind them, that in his judgment the suspension was unnecessary, and he should at once begin proceedings under the law to forfeit their charters. At first men thought it was a meaningless menace, uttered in ignorance of the subject, and even if intended, the colossal influence of the banks and their friends could bring such pressure as would turn the inexperienced executive right. But it was no hap-hazard announcement. And circumstances proved the country Governor to be the least malleable of metal, and rock-firm against any pressure. The excitement soon created, upon the realization that the Governor was in earnest, was overwhelming. Capital is easy to be terror-stricken. It is the most tremulously impressible of all the mighty powers of the world. And this potential mass of twelve millions of solid Bank capital of Georgia became alarmed and aroused to frenzy. And it focalized its thunder upon the country Governor, who met the storm, the combative commencement of his eventful administration, as cool and game and eager as a gladiator.

Before giving this remarkable Battle of the Banks, it is necessary to present some idea of the General Assembly that Gov. Brown had to deal with. The Legislature of 1857 and 1858 was a very strong one, especially in its Bank representatives. It consisted of 154 Representatives and 115 Senators. The Senatorial representation had been changed since Governor Brown was Senator in 1849 and 1850, when there were forty-seven Senators to a system that gave a Senator to each county.



John E. Ward

HON. JOHN E. WARD, Ex-U. S. MINISTER TO CHINA.

The joint assembly consisted of 269 members, a very large body. In its men the legislature was strong. John W. H. Underwood of Rome was Speaker of the House, and John E. Ward of Savannah, President of the Senate, both brilliantly able men. Mr. Ward was one of the most sparkling of our public leaders, a fluent, graceful speaker, a logical thinker, capable of effective effort though an indolent man, of inimitable tact, delightful manners and sweet temper, a charming companion, generous, hospitable, genial, and withal, shrewd, able, practical and ambitious. Mr. Ward was a born leader of men, and led wherever he went. He was strikingly handsome, and a magnificent type of the courtly Southern gentleman. He was president of the National Democratic convention that nominated Buchanan, and was United States minister to China at the beginning of the war, and conducted the difficult diplomatic relations with that country connected with our Chinese troubles of those days. He had capacities for anything, and was one of our most promising Southern men at the commencement of the war. He was a rare advocate, in the lead of his profession of the law, ranking among the foremost in the able and brilliant bar of Savannah. He opposed secession; he had no confidence in the success of the South in the war; he was very quiet during the war, and after the surrender moved to New York to practice law, thus removing from the most flattering prospects of public distinction at the hands of his native state. It was a cruel sacrifice of rare political promise. Mr. Ward had made several fortunes at the bar, but spent them in his lavish hospitality. He was the leader of the Bank men in the legislature, and a consummate one.

In illustration of Mr. Ward's wonderful tact, it may be said that he did more to break down the powerful sectional prejudice that a long time existed among the up-country Georgians against the people of the sea-coast, and especially against the citizens of Savannah, whom they regarded as "stuck up," to use a homely phrase of those days. There was a sort of aristocratic assumacy, or the people of Upper Georgia so thought in the low country folk, that rendered them very unpopular, and raised constant antagonism. It was perilous to any measure in the General Assembly to originate from a Savannah man. The extent of this feeling cannot be conceived now when it has entirely disappeared. Mr. Ward, with his wonted sagacity, struck it down by a course of kindness and conciliation, and he gained a wonderful hold upon the up-country members.

Col. Underwood, the Speaker of the House, was a very bright young

man, who has since been a Congressman and a Judge of the Superior Court. His father was a noted wag, who is said to have given his son John a letter of recommendation sealed, which the young man took the precaution to read before delivery, and which, to his dismay, stated that "My son John is introduced by this letter as having the largest aspirations and smallest qualifications of any young man I know." The letter, tradition says, was not delivered. In spite of the waggish father's badinage young Underwood possessed both large aspirations and very considerable qualifications. A racy talker, a fluent, effective speaker and a good lawyer, with a portly, fine presence and manner, he would have made a far more commanding figure in Georgia politics, even, than he has with the possession of a greater quota of stability. Among the more notable men of the House were Augustus H. Kenan of Milledgeville, Thomas Hardeman of Bibb county, H. J. Sprayberry of Catoosa county, George A. Gordon of Savannah, R. L. McWhorter and M. W. Lewis of Greene, D. W. Lewis of Hancock, I. L. Fannin of Morgan, Wm. Luffman of Murray, Wm. A. Reid of Putnam, John Milledge of Augusta, B. H. Bigham of Troup, George Hillyer of Walton. In the Senate were L. H. Briscoe of Milledgeville, Peter Cone of Bullock, Hugh Buchanan of Coweta, Jared I. Whitaker of Atlanta, Joel A. Billups of Morgan, Randolph Spalding of McIntosh, James Edmondson of Murray, Permetus Reynolds of Newton, William Gibson of Richmond, T. L. Guerrey of Randolph, Wm. W. Paine of Telfair, A. G. Fambro of Upson, and W. A. Harris of Worth.

Col. George A. Gordon, of Savannah, was chairman of the House Committee on Banking, an ambitious, talented young lawyer, who became a colonel of infantry in the war, moved to Alabama and died there after the surrender. Augustus H. Kenan was a stately, imperious gentleman, a despotic power in middle Georgia local politics. Thomas Hardeman of Macon went to Congress, served brilliantly in the war, has been a prominent candidate for Governor, has served repeatedly as Speaker of the House of Representatives and President of Democratic State Conventions, and is one of the most popular and eloquent public men in Georgia. H. J. Sprayberry of Catoosa county was a character; a grotesque, keen-witted, rough backwoods lawyer, with a homely, homespun way of talking to rural juries that was wonderfully successful. He died several years ago. Dave Lewis of Hancock, as he was called, was quite a power in those days, a capital speaker. He is now president of the Dahlanego college. A bright youngster full of talent was George Hillyer of Walton, barely out of his teens, who made an

entrance into politics and gave high promise of usefulness. He wisely after this retired from politics as an unprofitable business for young men, moved to Atlanta after the war, was State Senator, is now a Judge of the Superior Court and growing in fame and fortune. M. W. Lewis of Greene county, was a lawyer of much influence, was nominated for the present State Senate and died shortly after. R. L. McWhorter has been a power in Greene county, controlling it politically like a local king. During the stormy days of reconstruction he was a member of the Georgia Republican party, and one of the ablest, boldest and shrewdest of its leaders. He was Speaker of the House. He is a large, powerful man of uncommon capacity for political management. He is a member of the Senate in the present General Assembly, and will be a force in politics while he lives.

Old Peter Cone of Bullock county was another county king, an odd, blunt, comical old fellow, who in spite of his oddities had the respect of everybody for his honesty and good sense. He is dead. Hugh Buchanan of Coweta was one of the most prominent men of that Senate—a man of sterling character and fine ability. He has been judge of the Superior Court and recently elected to Congress in the Fourth District. Of the men who were strong in those days perhaps none has had such marked vicissitudes of fortune as Jared Irwin Whitaker of Atlanta. Wealthy and influential, the proprietor of one of the leading papers, the *Atlanta Intelligencer*, representing his county in legislatures or conventions whenever he wished, member of the State Democratic Executive committee and State Commissary General during the whole war, handling millions, he was a recognized political power in the State. Losing his fortune, then his influence, illy fitted to be a poor man, taking to drink, falling lower and lower, drifting down socially and pecuniarily, he is to-day to those who knew him in his better days a sad spectacle, seedy, impecunious and pitiful. Col. J. A. Billups of Morgan county, was a strong man in the Senate of 1857, and is to-day a gentleman of high character and standing. Randolph Spalding of McIntosh, James Edmondson of Murray, and Permetus Reynolds of Newton are dead. Spalding was a good liver, luxurious, aristocratic, but a rare fellow; Edmondson and Reynolds were both men of note. William Gibson of Augusta was a very able man, a gallant colonel in the Confederacy, and a Judge of high repute since the war. He is still living. T. L. Guerry of Randolph was a strong spirit in that legislature, and had large promise of political promotion, but since the war seems to have retired into quiet privacy. W. W. Paine of Telfair, a practical

useful member is now living in Savannah. He has been to Congress and to the legislature since the war. W. A. Harris of Worth, bluff hearty Bill Harris as he is known, will always be a strong influence in politics while he lives. A positive, one-sided man, a true friend and an implacable enemy, fighting open handed for or against men or measures, he has been delegate to state conventions, State Senator, and repeatedly Secretary of the Senate, and is prominently spoken of for Congress from his district. John Milledge of Richmond was a notable man in that day, of ancient and honored blood, his father having been Governor of Georgia from 1802 to 1806. He was a stout blondish person of most genial manners and address, a gentleman of the old school. He died a few years ago, leaving a bright son to wear the distinguished name, who is a prominent young lawyer of Atlanta.

The legislature of 1857-8, was a strong body, made up of men of mark and it did important legislation. It was a fitting legislative accompaniment to the new Governor. A body of ability and decision, it was a worthy opponent for the combative young Executive. This general assembly re-elected Hon. Robert Toombs to the United States Senate, and put Joseph Henry Lumpkin on the Supreme Bench. These were two notable men, who will live long in the memory of Georgians. Lumpkin was the most genial hearted public man we have ever had in the state, and the most liberal in his culture. To the sweetest nature he added an exquisite learning. To the most gracious benevolence he supplemented intellect of the highest order. He was a beautiful old man, with such grace and dignity as rarely falls to men. He wore his hair long, which set off his gentle, handsome, intelligent face, and well proportioned figure. He was well grounded in the rigid principles of the law, and yet he broadened their application with a magnificent erudition. His mind was buoyant with vital force, and was strengthened and ornamented by great learning and a robust, healthy imagination. He loved young men, and his kind words have cheered many a struggling young spirit.

Robert Toombs was one of the princely-brained men of the Union, the kingliest character the commonwealth has gloried in, the man of all the most affluent in personal gifts. Gov. Brown states that he first met him in Milledgeville in 1849, when he was State senator and Toombs was a Whig congressman, idolized by his party, and with a national fame for eloquence. Toombs, he said, was the "handsomest man he ever saw. His physique was superb, his grand head fit for a crown, his presence that of a king, overflowing with vitality, his majestic face illumined with his divine genius." Toombs was about forty years of age,



Engraved by Smith

Respectfully
Yr. Obedt Servt
L. J. Lumpkin.

and in the very prime of his magnificent manhood. He had a figure like an Antinous, the very perfection of manly symmetry, and an imperial grace of carriage that sat upon him well. His face was noble and superbly handsome, with great luminous dark eyes full of flashing soul, every feature perfect, a royal forehead, a matchless dome of thought that gained in power, through the rich glossy black hair that hung about it straying carelessly over its marble front, suggesting rather than revealing its extent. His skin was clear with health. He talked constantly, his mobile countenance lit with an irradiating smile, or intense with some dominating and fiery impulse. His conversation was a torrent of striking thoughts, strikingly expressed. His vivacity never flagged. The man's mind and spirit were absolutely perennial. He never seemed to have a moment of mental or physical weariness. He scattered humor, wit, wisdom, with a limitless prodigality. He started in life munificently equipped in fortune and education. His father was rich, and he had every advantage. He succeeded right away at his profession, making, it is said, \$50,000 in five years, achieving success easily. It is rare that men so brilliant and impulsive as Toombs have the faculty of business. His pecuniary sagacity has been a marvel like his other gifts. No man has been a more careful manager of money, making it wisely, spending it in a princely way, yet handling it carefully and prudently. He bought immense tracts of Texan land, of which he has a hundred thousand dollars profit, and has enough to realize a quarter of a million more. In politics he was as swiftly successful as at the law. He went to the Legislature, then to Congress, and then to the Senate, grasping these honors by a sort of easy, natural right. He was lordly, grand, irresistible. Nothing could daunt, nothing vanquish him. Toombs had genius, and men recognized it. He was like an inspired man in his speeches. He reveled in public life and intellectual conflict. No man ever tripped him in debate. He was as ready and deadly as lightning. A rival on the stump threw up to him a very unpopular vote he had made in the Legislature. "Yes," thundered the quick-witted and audacious Toombs, "it was a d—d bad vote! What have you got to say of it!" And the storm of cheers from the crowd told how well he had bafled a wound. In a period of crazy contention, and when the public pulse was perilously inflamed, the opposition at a public meeting resolved he should not speak. Weapons flashed in the sunlight. Blazing with indomitable fire, declaring they might kill, but they should hear him, the man awed down the infuriate mob and forced a listening to his bold words.

General Toombs was born for a revolutionary era. No other man did as much to precipitate the war as he did. Notwithstanding he came of a blood that had the hereditary instinct of loyalty to the crown, he has shown a wild tendency all of his tumultuous life to rebellion. He began it at college; he continued his destructive instinct upon the Union; he was a defiant officer in the army; he split from the Confederate authorities in fierce altercation; and since the surrender he has gloried in being the single untamed and unappeasable rebel against Federal rule. Believing as the writer does, that in the mighty scheme of human progress a Providential power fashions the order of things, and that great events like our colossal civil war, long preparing and long continuing, and long lasting in great result, are part of the divine plan of philosophical advancement, it is but a second step of belief to note that human agencies suitable to such crises are furnished by the same overruling intelligence that framed the gigantic evolution of history. Slavery was a wrong for which the South was not responsible. Its extinction was inevitable. And some such convulsion had to tear it up from its terribly strong rooting. We of the South, had become blunted by hereditary training and education of centuries to the proper human repulsion at the awful fact of property in human souls. A striking example of the natural sentiment of humanity upon this, occurred in the writer's family a short while ago. A little daughter of eight years of age in her reading came across the word "slave" and asked its definition. Her look of horror, as she understood it, was a revelation alike, that a thing that inspires such a feeling in the impartial instincts of a pure nature must be appallingly wrong, and that the public condemnation of the non-slaveholding world would never cease to wage war upon the wrong until it was extirpated from christian civilization.

Toombs was one of the Providential agencies of this inevitable revolution, the creature of what was so happily called the "irrepressible conflict" between freedom and slavery, and its resultant emancipation. He was a superb type of the Southerner, the "corner stone" of whose social and political system was slavery. He was careless, imperial, defiant, audacious, volcanic. Toombs represented alike a kingly race of men devoted to their institutions, and the grand principle of chartered rights. He was aggressive, denunciatory, taunting. He struck for disunion, believing that safety lay alone in the severance, and the bond would make unceasing strife. Looking at the situation as pregnant with an inevitable issue of attempted separation, and the cure by a storm of an evil, Toombs was the man for the work. He inspirited the South and he

angered the North. The South was not responsible for slavery, and had for it the sacred guarantee of the Constitution. The North had put slavery upon us and was under bond to protect it. The South had legal rights in a great wrong. The North *could* only do its duty to civilization by breaking its obligations. To stimulate the South to defend its rights, to incense the North in its aggression upon the evil of the Union that was its reproach in the eyes of the world, was the work that Toombs and his compeers well performed. It was a conflict between legally fortified wrong and unconstitutional and high-handed right. And Providence gave the victory to civilization against the forms of law, heroic devotion to a beloved duty and as grand a chivalry as the world ever knew. Toombs was the genius of the revolution, and will so live in history.

CHAPTER VIII.

THE FIERY BATTLE OF THE BANKS.

Brown and Toombs.—Howell Cobb, Alexander Stephens, Pen Pictures.—The young country Governor defies the capital and its leaders.—The Tremendous Pressure.—Brown single-handed.—Bank Suspension legalized.—Brown's hard-hitting Veto.—A striking instance of Nerve.—The white-heated Excitement.—The great Speech of Mr. Ward, President of the Senate.—The Veto overwhelmed.—Doggerel of the Day.—“Balanced to a Quarter of a Cent.”—The Issue remitted to the People.—A hot Campaign of Ridicule, Abuse and Passion.—“Who is Brown?”—“A d—n fool.”—Brown Solidly Endorsed.—An Irresistible Torrent of Public Approval for Brown.—A Universal Victory over the colossal Moneyed Power for the new rock-willed “People's Governor.”

GOVERNOR BROWN and Gen. Toombs have been dramatically connected through this long period of Georgia history that constitutes the theme of this work. The election that put Brown in the Executive chair, placed Toombs again in the Senate of the United States. During the war, Toombs stood by Brown in his controversies with the Confederate authorities. After the surrender, they were in a deadly antagonism, which nearly resulted in a duel. And in this progressive era of the state and nation, in 1881, they represent antipodal ideas and conflicting public theories.

In 1857, of which time we write, there were two others of Georgia's gifted sons that wielded a large national influence. Howell Cobb was Secretary of the Navy in the cabinet of President Buchanan, and thus had the ear of that official in all of the Presidential policy of those distracting and momentous public events that so soon were to culminate so dramatically. Cobb was an ardent Union man, while intensely Southern. He was a wise, conservative man, and firm. If any one could have used official opportunity in administrative position to keep a harmonious Union, he was the one. He had carried the state triumphantly on the Union issue, against extreme Southern Rights, in 1851. He was powerful at home, and honored beyond. He had uncommon statesmanship and extraordinary personal tact. But the drift of events was beyond the power of men to control. A higher power was at work in its own mysterious ways. The revolution was pending, and its genius was the destructive Toombs, and not the conservative Cobb.

Another vital personality was that remarkable man, Alexander H. Stephens. He too was a Union man. It is hard to write about Alec Stephens. He has been all of his life a human miracle. His advent into public life nearly half a century ago was, and his career ever since has continued to be, a wonder. Antithesis has been exhausted in describing the man, and yet there is no adequate portraiture of him. For forty years and more Mr. Stephens has held a foremost place in the affairs of the state and nation, and his name and speeches, overleaping the bounds of the continent, reached the old world, rendering him famous and illustrating Georgia. His purity of life, public spirit, stainless integrity, devotion to principle, love of truth, simplicity of character, munificent charity, lofty patriotism, independence of popular prejudice, sincerity of conviction, indomitable courage, magnetic eloquence and vigorous statesmanship have all been continuously displayed in his long, useful and brilliant public career, and form a noble example for the imitation of our ambitious young men.

That a mind so powerful and a spirit so knightly should inhabit a body so diseased and frail, has been the miracle of his conspicuous life. At any time during his laborious and honored existence, his death could not have surprised. Yet his physical frailty never impaired his public usefulness. Nearly seventy years of age, he is still at his post of duty, filling, in his own unequaled way, the place in which he has won his proudest triumphs and most lasting fame—a Congressman from Georgia, a representative of the people and chosen by the people—Georgia's great Commoner. The people that he has loved so well, and the state that he has so faithfully served and resplendently illustrated, delight to honor him and hold his solid fame as one of her most precious heritages.

Mr. Stephens, too, was one of the strong union men, and to the very last his potential voice was heard eloquently protesting and unanswerably arguing against secession. Mr. Stephens has been a statesman and an orator, but the quality that more than all others has tended to give him his vast public influence has been his wonderful moral intrepidity. It is a rare quality, heaven-born and God-like,—such moral courage as he has shown all of his life long. No adverse public opinion has had any terrors for this fearless statesman. Majorities have been utterly powerless to sway him. No unpopularity, no prejudice, no popular frenzy has ever moved his firm soul one hair's-breadth from any conviction or prevented any utterance he deemed the truth. This is remarkable praise, but it is due to the man. But even the miraculous

Stephens was unable to stem the revolution. The storm was coming, and Toombs was its genius.

Recurring to the battle of the Banks, from which digression has been made to fill out the personal features of this important period of Georgia history, there probably has never been witnessed a more stubborn and heated contest in legislative walls than was fought in the Georgia Legislature of 1857, over the bank question. It was soon found that Governor Brown was in deadly earnest in the resolve to hold the banks to their full legal responsibility. The lobbies were thronged with bank men and their friends. The cool young country Governor met the issue unquailingly. Every argument and influence was brought to bear upon him, but vainly. It was a crucial test of his nerve. Even a very brave and firm man would have wavered. It was boldly claimed that he would ruin the state and shock irreparably the public weal in thus warring upon the banking capital of the commonwealth. Neither appeal nor menace moved him from his position. It was a fearful responsibility that he assumed, but he never shrank from it. It involved, too, an appeal to the people, and public condemnation if he failed in the contest. It portended a no-quarter fight with capital and leadership and commercial power. He defied them all. He had announced his purpose in his ringing inaugural to hold the banks to the law, and he stuck to his purpose. A bill was introduced, and after infinite and elaborate discussion, passed, suspending forfeiture proceedings against the suspended banks for one year. The act went to the Governor. Few believed that he would dare to veto the act. The vote in the House was 68 yeas and 33 nays; in the Senate 58 yeas and 27 nays. The excitement was very great. While it was true that the bill had passed both houses by a two-thirds majority, which, if it could be held, would render an Executive veto a nullity, yet in the heated temper of the Assembly and the changing influences of the time, there was no telling what might happen. A change of two or three votes would alter the result. It was represented to Governor Brown that he had made a fair, brave fight, and after a full discussion the legislature had given a two-thirds majority, and he could well rest the matter there. These importunities fell like water upon a rock. The placid and rural Executive was in no terror of majorities, and then, as later, failed to learn the lesson of yielding his convictions to any pressure. He gently waved aside these advisers, and smilingly ignored counsel that he did not want, and shutting himself up in his quiet, he fulminated one of the boldest state papers he ever wrote, in sharp and unqualified veto of

the act. Reading that veto message in the light of all of the surroundings, and testing it by cool criticism, lifted above the heat of the struggle, it is a very remarkable document. Gov. Brown, it must be remembered, was bred up far from commercial influences and habits. He had little practical experience of banks. He had known little of capitalists and had few dealings with capital. His views were not the cultivated experiences of the commercial world, but they were the instinctive notions of an uncommonly sharp mind, entirely unprejudiced, and looking at the matter with a keen vision of the equities of the great subject, and seeking abstract justice at any cost. The views of his message clad in this light, are remarkable. He never wrote a more sinewy, even-handed and abstractly logical paper, while his personal attitude was romantic in the extreme, and eminently characteristic of his self-reliance and intrepidity. Take a youthful countryman, unused to the dazzle of such high station, with its bewildering accompaniments, and put him in Gov. Brown's place in this matter, subject to the pressure of every powerful influence of social splendor and worldly prestige, and his firmness in pursuing his convictions to their conclusion, unbacked as he was by any support whatever, and perplexed by the gravity of result that hung upon his action, was a striking exhibition of personal firmness and official duty. It illustrated the man perfectly. It demonstrated his superlative fiber. It stamped his exalted power of leadership indisputably. He might be wrong, and doubtless in a calm review of his views then uttered so incisively, made now in the light of a quarter of a century of unusual practical experience, he would recall much that he said then. But the fact still stands out saliently that his attitude was one of grand courage, and put him at one bound as an established force in the state. His veto was a brave appeal to the august tribunal of public opinion, against one of the ablest legislative bodies Georgia has ever had, and he struck the popular judgment with masterly power and a keen discrimination. There is in the message, too, a plain, direct, ungloved style of speech that was far removed from the diplomatic politeness of the accustomed state papers. The veto indulged in no regrets or Pickwickian expressions, but it handled the vital matters touched upon with simple practicality, and gave facts and views in unmincing words.

The veto was a lengthy and elaborate one, discussing the subject fully. It began by contrasting the money privileges of banks and those allowed individuals. The citizen could only loan money, dollar for dollar, at seven per cent. The bank could issue three dollars for one and

use all four, realizing from thirty to fifty per cent. The privilege was unreasonable, and he branded banking as a "legalized system of speculation, oppression and wrong." After using their unlimited privileges to amass fortunes, the banks in a pressure suspend, close doors, lock up specie, let their bills depreciate, buy them up at a discount, make further distress, and then when the storm is over, step out with increased wealth amid general disaster. It was not right. The banks could pay specie by buying it at a small premium with their large earnings. Why did they not resume. Because it was to their interest not to do so. They made money out of the suspension. Warming up, the plain-spoken Governor said that the banks that had suspended, and so continued were guilty of a "high commercial, moral and legal crime," depreciating the value of property, causing pecuniary depression, injuring the public credit, and violating the law of the state. Private citizens had to meet their obligations. Banks should do so. The citizen could not suspend. The banks should not.

Since the establishment of the Banking system in Georgia, several periods of distress had occurred, in which the banks made money, while the people bore the loss. The banks claimed to be obliged to suspend, but it was because of their speculations. The merchant that overtrades, gets no sympathy when trouble overtakes him. The banks suspended as a speculation. In 1840 there was a financial crisis, when the bad conduct of the banks caused the passage of the very law of forfeiture for suspension that was sought to be set aside now. The banks were wealthy and powerful, and illustrated the growing power of corporations. Who doubts that they could, by a little sacrifice, have avoided suspension at the present, have bought gold and redeemed their promises. Instead of doing this they set the law at defiance, relying upon their power. They demand legalization of the wrong, threatening injury to the public interest unless it is done. The issue was boldly tendered. In his opinion the richest corporation should be compelled to obey the law like the humblest citizen. He was resolved to know no man or association of men, and that all should bow to the authority of the law without regard to wealth, power or influence.

He alluded to the fact that numbers of banks in other states, and four or five in Georgia had not been obliged to suspend. He answered the point that our specie would be drawn out from the North by saying that too few of our bills were held North to injure us in this way. The further point was made that our banks had suspended in response to the suggestion of public meetings. His sharp reply was that bank men

could easily get up such meetings. The people generally did not want suspension. Their hundred dollars fell to ninety in value by suspension. Every point ingeniously made for suspension he as ingeniously met, in his sledge-hammer way, running through the whole paper an adroit comparison of the advantages the banks had over the citizen. He struck hard. His last point was that there was a contract between the banks and the people to redeem their bills in specie on *demand* or *presentation*, and this had been violated. The law legalizing suspension was a law impairing the obligation of contract, and therefore unconstitutional. He wound up this caustic and aggressive message with these words :

"I feel it to be my duty I owe the people of Georgia, to do all in my power to avert the evils which would follow the passage of an act legalizing the suspension of the banks. All solvent banks will doubtless soon resume specie payment. I shall do all which the law makes it my duty to do, to have the charters of such as do not resume forfeited, and their assets placed in the hands of receivers, and converted into money and paid to their creditors as soon as possible. No serious inconvenience will follow, as it is believed most of them are solvent, and will resume. Those which are not solvent will be wound up, and the sooner the better for the people."

The reading of the message created an intense feeling in both branches of the General Assembly. Mr. Ward, the President of the Senate was the bank leader in that body. The veto made a keen sense of alarm among the bank men. It was known that it was coming. Mr. Ward was selected to reply to it. He sat up all night preparing a speech. The message made a sensation. Its exhaustive, common sense discussion of the subject, and its determined views, fell upon the body, engendering dismay. Mr. Hill of Harris moved to take up the message and read it. After the reading Mr. Spalding moved to take up the vetoed bill. The yeas and nays were called on this motion, and resulted in sixty-one yeas and twenty-one nays. This was an ominous vote for the anti-bank men, being a loss of six votes from the twenty-seven that voted on its passage against it. Mr. Young of the negative voters then moved to adjourn, fighting for time. Upon this the yeas and nays were called, yeas nineteen, nays fifty-nine. This was a still farther loss on the anti-bank side. Mr. Ward had come from the President's seat and he took the floor. He made a speech of great power and eloquence, an adroit, persuasive, subtle speech, by long odds the best of the session on any subject. With wonderful effect he sought to put the Governor in a position of hostility to the cities, and then proceeded to defend the cities, blending a careful indignation with a judicious pathos. His eulogy upon the banks and his picture of the bad results of interference

with them, were drawn with eloquent vividness. Every utterance of this admirable speech was conciliatory and plausible. It was a model of elocution and at the same time the very perfection of argument and appeal. It made Mr. Ward great reputation in the state. He closed his speech by moving the passage of the vetoed bill and upon that motion called the "previous question" to cut off reply. The vote stood on this fifty-six yeas and twenty-four nays, a small gain for the anti-bank men. The vote upon the passage of the bill was then taken and stood sixty-one yeas to twenty-two nays, a loss of five votes from the yeas on its original passage—a loss due to Mr. Ward's powerful speech. In the House the vote stood the same as on its first passage, showing no change.

A classification of the voting made a month afterwards in the heated discussion the matter continued to evoke, showed that in the House, where the vote stood sixty-eight yeas to thirty-four nays, forty-eight members voted "yea" both times and twenty-nine "nay" both times; that thirteen members voted nay first and yea afterwards; that two voted yea first and then nay; that fourteen voted yea at first and did not vote afterwards; that eight voted nay first and did not vote afterwards; and that one voted against and three for the bill on its second passage who did not vote first. And forty-four members did not vote at all on the perilous question. On the last ballot sixty, or more than a third of the House, dodged a vote.

The following piece of doggerel took the public attention at the time, and had a wide circulation:

A LEGISLATIVE LAY.

BY BILL VETO BANKS, ESQ.

On a night before Christmas when all through the "house"
 Not a member was stirring, not even a mouse;
 The Sec'taries stood at the Desk in great awe,
 As if 'twas the Devil himself that they saw.
 The members all nestled down close in their chairs;
 Their hearts alternating with hopes and with fears;
 When up from the Senate arose such a clatter,
 The Speaker sent "Jess" to report on the matter.
 Away to the Senate he flew with a chill—
 He heard that the Senate had passed the Bank bill.
 Then T—e came in, and the House got so still,—
 His hair stood erect like the porcupine's quill.
 He read what the Senate had done, in the aisle,
 Then bowed himself out with *such* a sweet smile!

I knew by the walk, 'twas the "Cherokee brave,"
 The Devil may take me, if he could *desave* !
 But the fun was not yet over, not by a half,
 Which I'll tell you directly, provided you laugh.
 "As leaves that before the wild hurricane fly,"
 Swept clear thro' the House, Bill Vetos' wild cry.
 Confusion at once seized the House with a vim,
 And the shout went around, "up Bankey, at *him* !"
 Then the Secretary called the roll over with care,
 While the friends of dear Bankey sank deep in despair ;
 For none in that House could certainly know,
 The result which the ayes and the noes would soon show.
 Not a breath of disturbance the quietness stirred,
 Not a *hem*, nor a cough, nor an audible word,
 The roll being called and the vote counted out,
 The Speaker said, *passed*, then as if in doubt,
 Said no, it was lost ; and then in the *Mess*,
 Some man changed his vote, and settled the fuss.
 And then such a shout ! Ye Gods and small fishes !
 What rattling it made among Cunningham's dishes !
 So Bankey whipped Veto—and winks at his foes,
 And wiggles his thumb at the end of his nose ;
 He exclaimed as he left in the cars the next night,
 Happy Christmas to all and Bill Veto good night !
 But Bankey will find before he's much older,
 The people will turn him a very cold shoulder,
 Unless he behaves like honest men should,
 And ceases to speak in the imperative mood.

But the matter was not ended. The legislative storm was but child's play to the public agitation. The young country Governor had awakened a popular tornado. Abuse and ridicule were heaped upon him. The use of the expression that the bank accounts "balanced to a quarter of a cent" was the theme of unlimited raillery over the alleged ignorance of the Governor, of Bank book-keeping. The bank champions had stated as a reason for legalizing the suspension, that the people owed the banks twenty-two millions, and the banks only owed the people five millions. In response to this argument the Governor said in his message that the sworn returns of the banks made to the Executive Department showed that the assets and liabilities of the banks "balanced to a quarter of a cent," a proper phrase to render the antithesis striking.

The bank question became a veritable sensation. The agitation was warm enough in the legislature. It grew hotter with its transfer to the tribunal of the entire state. The Milledgeville Federal Union at first

was the Governor's only newspaper advocate. The *Augusta Chronicle* and the *Savannah Republican* were the two champions of the bank side of the question. One after another the state press took sides with the Governor. The papers were full of it. And the discussion was bitter. The *Augusta Chronicle* thus fulminated :

"Never have we witnessed in all our experience such a display of stupidity, ignorance, and low groveling demagogism as Gov. Brown has made in his veto message. It is throughout the low and miserable effort of a most contemptible demagogue, to array the prejudices of the poor against the rich. * * *

"In conclusion we cannot but congratulate the Democracy on their triumphant success in finding out thus early, '*Who is Brown?*' This was a question which excited no little solicitude in the outset of the late Gubernatorial canvass, and the faithful in this region were very much exercised to ascertain its true solution. Now when asked, '*Who is Brown?*' they unhesitatingly respond, '*a d—d fool?*'"

The *Savannah Republican* was no less savage. Said this paper:

"The friends of the Governor should hang their heads with mortification and shame, while the author himself should forthwith be subjected to the surgical operation recommended by Benton to Cass, viz, to be '*cut for the simples.*'"

But to the supreme astonishment of the Bank men, the people of the state rallied to the Governor in almost solid array. Public meetings were held on the subject, and the Governor endorsed by strong resolutions. A meeting for instance, in Carroll county presided over by W. W. Merrell, passed unanimously resolutions denouncing the suspension act as "unwise and lawless legislation." In Wilkinson county Dr. R. J. Cochran offered a resolution that was passed without a dissenting voice declaring the Governor's veto "elaborate, full, clear and unanswerable;" and a resolution was also passed unqualifiedly condemning Hon. John E. Ward for calling the previous question, and depriving the anti-bank men of a chance to reply to him. Whitfield county had a rousing meeting and passed a strong set of resolutions reported by a committee composed of W. H. Stansel, C. B. Wellborn, Wm. J. Underwood, Dr. B. B. Brown and Rev. John M. Richardson. These resolutions commended the "Jacksonian firmness" of Gov. Brown. Even Bibb county endorsed the Governor. In Monroe county resolutions were passed demanding that the state Constitution be altered so as to prevent the passage of laws legalizing bank suspensions. A meeting at Culloden presided over by W. Rutherford declared that Gov. Brown deserved the more credit because he did his duty in the very teeth of his own party. A Pickens county meeting denounced the papers abusing Gov. Brown as "hireling bank organs." A Campbell county meeting resolved that Gov. Brown was "under all circumstances the friend of the people when

their rights are threatened." Wesley Camp was chairman of this meeting. A Cherokee county meeting declared its pride in Gov. Brown as a Cherokee citizen. Clinch county went ahead of all in declaring that the members who supported the suspension bill after hearing the Governor's veto were not deserving support a second time by their constituency.

These public expressions of opinion taken at random from the action of meetings in all parts of the state will give some idea of the emphatic unanimity of endorsement that Gov. Brown received from the people. It is not ascertainable that a single public meeting sided with the banks and condemned the Governor. In spite of the colossal moneyed power of the Banks the Executive single handed carried popular sentiment overwhelmingly. It constitutes a remarkable victory, and it put Gov. Brown, at the very inception of his career, solidly entrenched in the hearts of the masses as the friend of the people's rights, a position from which no effort was ever able to shake him until the fiery days of reconstruction, but which he has regained since then in the most marvelous manner.

No man could ask after this the sneering question, "Who is Joe Brown?" He had answered the query himself in no uncertain language. He had shot himself like a cannon ball into the very heart of the state. In every hamlet the people knew him as a man of brain, rock-willed, and the people's friend. He became as exaltedly elevated in public esteem as he had been unexpectedly thrown into high office from obscurity. He demonstrated the fact that his promotion "was the inevitable outcome of his young life—disciplined so marvelously, so full of thought, sagacity and judgment."

CHAPTER IX.

THE WAY GOV. BROWN GASHED INTO OLD CUSTOMS.

The Abolition of Levees.—No Wine at His Table.—Interference by the Legislature with Pardons boldly Tackled.—The case of John Black.—Old time Ideas of Marriage.—State Aid.—Salaries Increased.—Peterson Thweatt.—The State Road, and a Vigorous Policy.—The Coincidence of Gov. Brown and the State Road.—The Southern Commercial Convention.—A summary of Georgia's Leaders, Mark A. Cooper, A. H. Chappell, William Dougherty, Junius Wingfield.—The Philosophy of Southern Conventions.—Powerful Instrumentalities of Sectional Division.—Legacies for the Impending Revolution.

THE installation of Joseph E. Brown as Governor of Georgia was truly an establishment of an era of change. The very social features of the executive administration were sweepingly altered by this simple-mannered and resolute young countryman. It seemed as if no institution that he deemed to need correction was sacred against his determined hand. And there was no fuss in his reforms. He quietly uprooted long-established customs in a way that evoked the horror of the reverential worshippers of venerable follies. It had been the custom for governors to begin their terms with a huge popular LEVEE, when the dear people were allowed to come uninvited in masses. Magnificent supper was provided at tremendous cost. It was a festivity of mash and gluttony and plunder. Crates of crockery were broken. The plebeians came in swarms as their one social opportunity to mingle in high life, and they gorged their stomachs and stored their pockets with delicacies. One who has never witnessed one of these hideous levees cannot conceive of their character. Floors were ruined, table ware lost, and toilets wrecked. It was jam and crush. It was becoming yearly worse, larger crowds, more disorder, increased destruction, and less regard for good manners. The rabble looked forward to, and improved it. The custom was old, and supposed to be the very symbol of our democratic principles. It was the practical incarnation of equality religiously cherished by the poor and the humble. Of all men, Gov. Brown, the representative of popular privileges, would have been supposed to guard such a custom. His practical intelligence, on the contrary, saw it was an occasion of license and rabble disorder, and not what it was meant to be, the tribute of all orderly citizens to a new Chief Magistrate. He swept it out of existence, declining to conform to the ancient precedent.

He instituted in its place a series of Friday night receptions, which proved very pleasant.

Another change he made that drew upon him much bantering comment, was abolishing wine from his festal board. He was a temperance man, and carried out his temperance principles practically. But the Governor quietly persisted in his plain temperance ways, and the people learned that ridicule or abuse were unable to move him.

He had several collisions with the General Assembly, in every case maintaining his views and asserting the prerogatives of his position in the straight-forward sort of way that was characteristic of the man. The Legislature passed a joint resolution requesting the Governor to pardon forthwith two female convicts. He vetoed the resolution promptly, and his message is a stinging rebuke. Adverting to the fact that no reason was given in the resolution for such clemency, and quoting the section of the constitution that gives the pardoning power to the Governor, he said that he understood that other resolutions of a similar character had been introduced, and gave his decision upon the matter in these incisive words:

"As a general rule, in my opinion, it would be better to leave all these cases where the courts and juries have left them. There are a few excepted cases, and for the purpose of finding them out, it is often necessary to investigate the evidence, and the circumstances of the trial. The constitution has assigned the duty of investigation to the Executive Department of the Government, without dividing the responsibility with the General Assembly, and as it would greatly lengthen the sessions, and consume much of the time of the Legislature, which could be as well employed in the consideration of such matters as the constitution has confided to that branch of the government, I would respectfully suggest that it might be better for each department of the government to be content to confine itself within the *sphere* of action assigned to it by the constitution."

This message put the Governor's views on the subject of the Legislature interfering with pardons in a pointed and unmistakable manner, but it did not settle the matter. The members were somewhat taken aback at the sharp terms the Executive used, but the practice of going to the Legislature when the Governor would not interfere in criminal cases had ripened into too fixed a precedent, and was too convenient to be readily abandoned. It was a pernicious practice and plainly illegal, yet it had been permitted. Gov. Brown was resolved to check and if possible stop it entirely. The Legislature clung to the custom. A man by the name of John Black had been convicted of murder and sentenced to be hung in Habersham. The Legislature passed an act commuting the death penalty to life imprisonment. The Governor

vetoed the bill in a lengthy message of remarkable ability. The Legislature in changing the penalty fixed by law to a crime committed in violation of the law, after the courts had finally passed upon the criminal, made an assumption of the functions of the Judicial by the Legislative branch of the government, and it was unconstitutional. To annul the judgment of the court and pronounce another judgment was a judicial and not a legislative function. The constitution forbids the exercise of the powers of one by the other. The Governor went into the question elaborately, quoting largely from the authorities to show that the legislative power to pardon in murder cases did not carry the power to commute. They either had to pardon entirely, or not at all. The message was closed with a reference to the facts of the case, and to the considerations of public policy involved. If the Legislature was allowed to commute as well as pardon, all murder cases would be brought before the body, and there would be no more punishments by death for the most flagrant murders. The bill was lost in the house after the Governor's veto by a vote of 27 yeas to 55 nays.

Among other vetoes that illustrate the Governor's views, was one of a bill allowing a number of married women to run business on their own account, on the ground of its destroying the unity of marriage. He clung to his old-fashioned ideas which he had so strenuously advocated and voted for in the Legislature of 1849 when he was a State Senator.

The subject of state aid to railroads was very fully discussed by this Legislature, but finally voted down. The state aid leaders were Mr. Speaker Underwood, D. W. Lewis, Mr. Smith and Col. Hardeman. The anti-state aid leaders were Mr. Bigham, Col. A. H. Kenan, Mr. G. A. Gordon and Col. Jno. Milledge. At that time the aid of the state had already been pledged to the Main Trunk and Brunswick railroads to a million of dollars. The removal of the state penitentiary from Milledgeville to Stone Mountain was fully argued, but finally defeated after an able speech against it by Senator L. H. Briscoe, a very brilliant young fellow who had been a secretary of the executive department under Gov. Johnson. The new counties were created of Wilcox, White, Schley, Pierce, Mitchell, Milton, Glascock and Dawson. The salaries of the following officers were increased: Governor from \$3,000 to \$4,000; Judges of Supreme Court, \$2,500 to \$3,500; Judges of Superior Court, \$1,800 to \$2,500. The practice of biennial sessions was also changed back to annual sessions, which had been the law before 1840, and the sessions were limited to 40 days, unless lengthened by a two-thirds vote of the Legislature.

The Legislature had elected as state house officers, J. B. Trippe, Treasurer; E. P. Watkins, Secretary of State, and Peterson Thweatt as Comptroller General. Mr. Thweatt deserves special mention. Before his administration the reports of the comptroller had been very meager affairs. He instituted a system of statistical returns that have been invaluable. He improved the collection of taxes, very largely increasing the return of taxable property and the revenue of the state. His administration of his office was conspicuously able. He is a short, very stout little gentleman with some oddities of manner, such as vociferous whispering to his friends, and a wonderful faculty for hearty laughter; and he was sometimes very irascible, but withal a true-hearted and generous gentleman, and as capable and faithful a public officer as the state ever had. He was comptroller a long time, but was defeated after the war, and could never get his consent to do anything else. His soul was in his office, and he clung for years to the hope of return to it, but vainly. He had taken his salary during the war in Georgia war notes, which were repudiated, and he spent years getting the legislature to let him sue the state for his notes. Legislature after legislature refused him the privilege, but with indomitable persistence he kept on until he succeeded only to have his suit dismissed. Some of his annual addresses to the members were remarkable papers, exhausting the printer's fonts of quotation marks, italics and capitals; and indulging in such a labyrinthine net-work of parentheses as to make his documents rhetorical puzzles.

In his inaugural Gov. Brown devoted much attention to the state road. In 1856 it had paid into the state treasury \$43,500. Necessarily large amounts had been used in equipping the road, but still the people grumbled that it was not a source of more revenue to the state. On the 1st of January, 1858, Governor Brown appointed John W. Lewis, his faithful friend, as superintendent of the road, under an order remarkable for its concise comprehensiveness of reform and management. It directed cutting expenses, dismissing every supernumerary, reducing salaries the same as on other roads, requiring absolute subordination, discharging dissipated employes, using economy, demanding trip settlements from conductors and weekly settlements from depot agents, and paying every dollar of net earnings monthly into the treasury. Lewis faithfully carried out his instructions. During his administration Gov. Brown paid as high as \$400,000 in a single year into the treasury. An amusing incident is related that soon after the appointment of Dr. Lewis as superintendent, he and Gov. Brown were

seen walking the track, picking up the iron spikes that were scattered and wasting along the line of road. The incident was circulated at the time in derision of the picayune economy of the new regime. Of course there was no truth in the story, except that the track hands were made to not only pick up the large quantity of loose spikes that had been left to rust along the line of the road, but all of the waste iron was gathered and advertised for sale, and brought the handsome sum of \$20,000. The incident illustrates Governor Brown's watchfulness of the public interest, and to what an extent his vigilance ran to details. There was between six and seven hundred tons of this loose scrap iron thus collected and sold.

It forms a curious coincidence of Governor Brown's life that this state road which he managed so successfully for the state while he was Governor, and whose brilliant and profitable handling made so marked a feature of his gubernatorial administration, should have come under his control as president of a leasing company that rented it from the state. The road seems to have been destined to become an important factor in his career. He is to-day the president of the lease company, and the road is most ably managed. It is a strange fact that the road has never paid much to the state except under his management. As Governor he made it pay from three to four hundred thousand dollars a year. And its regular rental is now \$300,000 a year.

One of those mammoth concerns that filled so large a share of Southern attention, but never seemed to have resulted in any practical benefit, a Southern Commercial Convention, assembled during this year in Montgomery, Alabama, on the second Monday in May. Gov. Brown appointed the following delegates which we give in full, as showing who were the leading men of the State at this time :

Delegates from the State at Large.—Wilson Lumpkin, George R. Gilmer, Wm. Schley, Geo. W. Crawford, H. V. Johnson, H. Warner, Hines Holt, Thomas W. Thomas, C. J. Jenkins, Wm. H. Stiles, Jas. Gardner, B. H. Hill, F. H. Cone, L. Stephens, E. A. Nisbet, M. A. Cooper, D. J. Bailey, A. H. Chappell, Joel Crawford.

First District.—A. H. Hansell, P. Cone, E. J. Blackshear, Charles Spalding, J. H. Cooper, F. S. Bartow, J. P. Screven, G. P. Harrison, Jno. W. Anderson, A. R. Lamar.

Second District.—Wm. Dougherty, T. Lomax, J. N. Bethune, J. A. Jones, Jr., Jno. A. Tucker, R. H. Clarke, L. M. Felton, A. H. Colquitt, W. A. Hawkins, W. M. Brown.

Third District.—W. Poe, O. A. Lochrane, W. K. De Graffenried, P. W. Alexander, D. P. Hill, C. Peebles, A. F. Owen, Geo. R. Hunter, J. D. Watkins, A. R. Moore.

Fourth District.—E. Y. Hill, L. H. Featherstone, A. J. Boggess, B. H. Overby, J. W. Duncan, Robert J. Cowart, J. O. Gartrell, W. C. Daniel, Wm. A. Harris, H. Buchanan.

Fifth District.—Jno. H. Lumpkin, H. V. M. Miller, S. Fouche, Jno. A. Jones, W. T. Wofford, Lindsay Johnson, Joseph Pickett, G. J. Fain, C. B. Wellborn, Elisha Dyer.

Sixth District.—Sumner J. Smith, Robert McMillan, Asbury Hull, Wm. L. Mitchell, John Billups, Wm. A. Lewis, Jas. P. Simmons, Samuel Knox, W. Boyd, S. Reid.

Seventh District.—Augustus Reese, George R. Jesup, P. Reynolds, Miller Grieve, Sr., S. N. Boughton, R. M. Orme, Sr., David W. Lewis, J. W. Burney, Robert R. Slappey, Junius Wingfield.

Eighth District.—Isaiah T. Irwin, Jno. Milledge, Jas. T. Nisbet, W. Gibson, Thomas Barrett, A. J. Lawson, A. R. Wright, E. H. Pottle, Robert Hester, Dr. W. Willingham.

Of these gentlemen Wilson Lumpkin, George R. Gilmer, Wm. Schley, Geo. W. Crawford and H. V. Johnson had been Governor of the state. Judge F. H. Cone was the founder of the Know-Nothing party in Georgia, a man of great power in his day, who had a desperate personal conflict with Alexander H. Stephens, in which he cut Mr. Stephens badly with a knife. Mark A. Cooper was a wealthy iron manufacturer, who was very prominent in Georgia politics. He was one of the famous trio of Colquitt, Cooper and Black that in 1840 revolutionized the politics of the state, and established the Democratic party in power. He was a leading candidate for Governor at one time. His large fortune was ruined by the war, and for many years he has been passing his old age in quiet retirement. A. H. Chappell was a noted man for many years, a distinguished Congressman. He was known for his long speeches, which tradition says he used to recite in advance of their delivery to his faithful horse in his rides horseback. It is also told of him that in a courtship after he was sixty years of age, while visiting in Monroe county, where the lady lived, he engaged in a game of "blind man's buff" with her. The incident is probably not true, as Mr. Chappell was a very stately, dignified gentleman, and it was likely invented as a piece of campaign badinage. A. R. Lamar has been for the last twenty-five years one of the conspicuous editors of

the State, conducting the *Savannah Georgian* and *Columbus Times*. Few men can equal him in his command of a pure, forcible and elegant style of writing. He has been one of the men who have labored long for party without reward. Wm. Dougherty, who is dead, was the great lawyer of his day—a man of wonderful legal ability. He took little interest in politics, devoting himself, unseduced by any charm of public station, to his profession. He was a strikingly handsome man. W. K. De Graffenreid was a lawyer of ability, much above mediocrity. He is dead. Cincinnatus Peoples became a judge. He was a large, genial gentleman, possessed of unusual speaking talent, with a rich vein of humorous illustration. His warm heart and generous impulses made him very popular. P. W. Alexander was a power as a journalist, editing the *Savannah Republican*. As a war correspondent he was the most famous one we had in the South. His war letters were models of critical accuracy, and clear, forcible descriptiveness. Of all of these leading Georgians of two decades back, none of them recall tenderer memories of a beautiful manhood than Junius Wingfield of Putnam county. He was a gifted lawyer, possessing both high ability and a profound knowledge of the law. But the charm of the man was in his pure, gentle, lovable nature and spotless moral life. His domestic qualities were exquisite. He was one of the few men who to manliness and intellect added an almost womanly tenderness of character. He died a few years ago.

Of the hundred gentlemen above recorded seventy of them have passed away, and many of them who were conspicuous persons in their day, are almost wholly unknown now. Individuals of brain, culture, influence and fame as they were then, they have lapsed out of recollection, their names buried in unused records of important events. The learned judge, the eloquent advocate, the famous orator, the influential leader, the honored statesman, the illustrious Chief Magistrate, have alike been rewarded with the same indiscriminating forgetfulness.

The Southern Convention that met in Montgomery in 1858, like its predecessors, did nothing tangible. Resolutions by the wholesale were passed, but no practical scheme was inaugurated for increasing Southern power and enlarging Southern independence. Tennessee, Virginia, the two Carolinas, Alabama, Georgia, Florida, Texas, Mississippi, Louisiana and Delaware were represented. Mr. A. P. Calhoun of South Carolina was made President, and Mark A. Cooper of Georgia one of the Vice Presidents. Mr. Spratt of South Carolina set the convention wagging fiercely upon a proposition to reopen the slave trade. This inflamma-

ble issue, and another equally perilous condemning the conference bill for the admission of Kansas as a state in the Union, which the entire Southern delegation in Congress had taken as the best they could do, were the two main topics of discussion. Looking back to that day in the calm philosophical retrospection of this, these conventions were simply potential agencies for driving sectional differences to an inevitable rupture and the logical war that followed so swiftly. Wm. L. Yancey of Alabama, and Mr. Rhett of South Carolina were the moving spirits of this convention. While its members were patriotic, its objects, its deliberations, its conclusions were sectional, irritating and defiant. Comparing these Southern movements with the Northern abolition aggressions, we can see now what we could not realize then, that the Northern crusade, while fanatical and unreasoning in its zeal, was without local benefit to its zealots and embodied the protest of all disinterested civilization against slavery. The natural resistance of the South to these extra-constitutional assaults upon the chief institution of Southern wealth and labor, and the prop of the Southern social polity, was based upon local interest, looked to home prosperity, Southern independence of the Union, and the withdrawal of Southern business patronage from the North. Not only were they thus practically antagonistic to Northern interest in their objects, but in their spirit and language they were bitter against Northern sentiment. They simply therefore fed sectional hostility and division. It would be impossible to conceive of more powerful instrumentalities of sectional strife. Not so intended by us or so regarded by the North, they yet thus resulted. They were an effective part of the preface to the great struggle in which Providence had doomed slavery. They were the concentrated utterance, intense, open-voiced, impassioned and majestic, of Southern resentment against Northern aggression upon slavery, and they both stimulated and foreshadowed the inevitable conflict that was coming so soon. Even though their final action was legitimate, that could not remove the effect of the fiery sectional deliberations that frenzied the very fanaticism sought to be thwarted. This Convention met, argued, acted and adjourned, but its only legacies were fuel for the impending Revolution.

CHAPTER X.

THE SPIRIT OF 1858 IN GEORGIA.

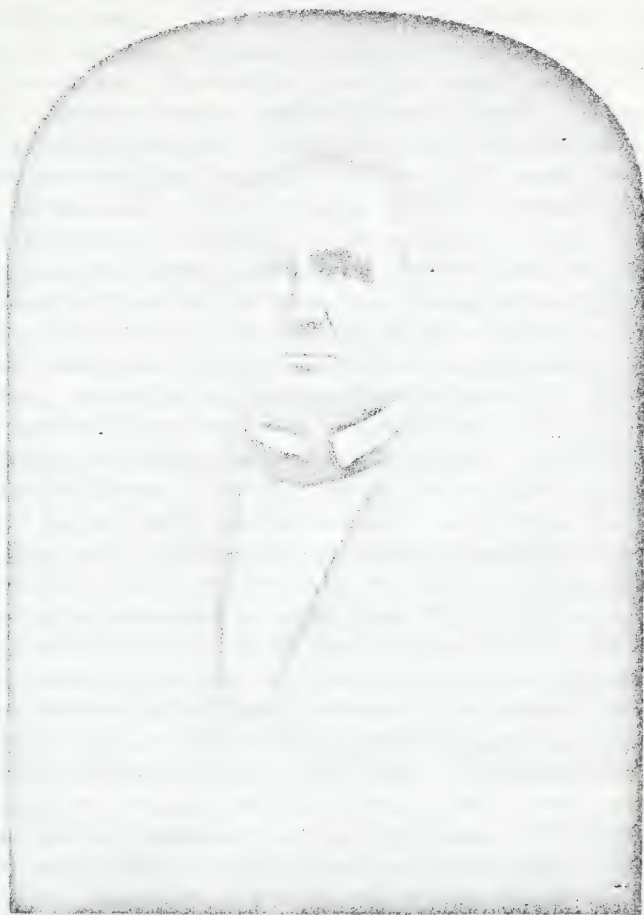
The State Judiciary.—Its Personelle.—Judge W. B. Fleming and D. F. Hammond only Survive in 1881.—H. L. Benning.—The Bank Cases.—E. G. Cabaniss.—A New Fight of the Banks.—What Gov. Brown did as a Bank Reformer.—Brown as a Foeman.—The Cotton Planters' Convention.—The State Newspapers.—Wm. T. Thompson.—Joseph Clisby.—A. R. Lamar.—Deceased Journalists.—Legislative Dots.—The State Road and Brown's Sweeping Reforms.—John A. Tucker.—John E. Ward.—Henry R. Jackson and his magnificent address upon the Expansion of American Empire and its effect on Southern Institutions.

THE composition of the Georgia judiciary in 1858 was as follows :

Supreme Court.—Joseph H. Lumpkin, Chas. J. McDonald, Henry L. Benning.

Superior Courts.—Brunswick Circuit, A. E. Cochran; Blue Ridge Circuit, Geo. D. Rice; Chattahooche Circuit, E. H. Worrell; Cherokee Circuit, R. Trippe; Coweta Circuit, O. A. Bull; Eastern Circuit, W. B. Fleming; Flint Circuit, E. G. Cabaniss; Macon Circuit, A. P. Powers; Middle Circuit, W. W. Holt; Northern Circuit, James Thomas; Ocmulgee Circuit, R. V. Hardeman; Pataula Circuit, David J. Kiddoo; Southern Circuit, Peter E. Love; South-western Circuit, Alex. A. Allen; Tallapoosa Circuit, Dennis F. Hammond; Western Circuit, N. L. Hutchins.

Of these officials all of the gentlemen who were Justices of the Supreme Court are dead, and fourteen out of the sixteen Superior Court Judges. The only living ones of this array of judicial talent are Judge W. B. Fleming, who is now Judge of the Eastern Circuit, and very old, and Dennis F. Hammond, who lives in Atlanta, in fine law practice and vigorous health. Judge Hammond is a gentleman of peculiar and original character, and has been perhaps as strong a man physically as we have ever had in Georgia. A thick-set, massive frame of iron strength, backed by a most resolute will and a most remarkable volubility of words in talk, belongs to him. While he is a preacher as well as lawyer, he belongs to the church militant, and has been ever ready to enforce his spiritual expoundings upon refractory subjects with a physical drubbing. The anecdotes of his ready and irresistible combativeness are numerous and racy. Nature never made a sincerer or kinder or a more stubborn spirit. Judge Fleming has been an upright and able Judge, and has the gratification of serving on



Charles McDonald

the bench of the Eastern Circuit, while he has a son equally able and respected, who presides in the Albany Circuit, Judge William O. Fleming. Judge Henry L. Benning, of the Supreme Bench, was a very marked man in Georgia. He made a gallant record as a Brigadier General in the late war. He won for himself the sturdy soubriquet of "Old Rock." He was a man of absolutely crystal truth. He had a candor and directness proverbial. He spoke with a low, guttural tone and a syllabic precision, that heightened the idea of his manly force of character. He was able to take unpopular positions without loss of respect, so strong was the confidence in his sincerity. A very strong effort was made in the General Assembly of 1858 to strike down "Old Rock." The suit of Beall vs. Robinson, from Muscogee county, was a case involving the liability of the stockholders of a broken bank for bills that had been issued. Judge Benning was the son-in-law of Col. Seaborn Jones, a stockholder, and had been attorney for Gen. D. McDonald, another large stockholder of another bank. He presided in the case and gave decision against the bill-holders. A petition was presented to the General Assembly urging the body to take some action against Judge Benning, and a resolution was introduced in the Senate advising and requesting Judge Benning and McDonald to resign their offices. The matter created a good deal of feeling, but the Senate voted to lay the resolution on the table for the balance of the session by a vote of 67 yeas to 45 nays. Judge Benning had been urged not to preside in the case, as it was similar to cases in which his client and his father-in-law had been interested. He presided because he deemed it his duty not to shirk his responsibility, and in the decision he explains this very urgency of his duty. The famous lawyer, William Dougherty, was the moving power in these cases, and he inspired the hostile proceedings in the legislature. The incident unjustly did great injury to Judge Benning a long time, which he keenly felt. And after the war, when he was defeated for the Supreme Bench in the legislature by Dawson A. Walker, it was through the active agency of Mr. Dougherty on account of this very decision, Dougherty declaring that he would support Benning for Governor, or anything else, but he should not go on the Supreme Bench if he could help it. Benning, who was a man of sensitive honor, though of unbending will, afterwards declined to allow Gov. Smith to appoint him Judge of the Supreme Court, because he considered the action of the legislature in defeating him as a condemnation of his course in the Beall-Robinson matter.

Of the judges mentioned Judge E. G. Cabaniss had a high measure of public esteem and influence. He was a very conservative public man of solid sense, and the personal consequence that belongs to careful judgment and scrupulous conscience. He belonged to that class of citizens known as "safe" men, clear-headed and calm-tempered. Judge Powers of the Macon Circuit soon resigned, and Gov. Brown appointed in his place for the interim Henry G. Lamar, who had been so prominent in the gubernatorial contest that resulted in Gov. Brown's nomination.

During the year 1858 the banks resumed specie payment long before the time specified for resumption in November, but some twenty of the banks failed to make the semi-annual return on the 1st of June required under the law of the suspension. Upon the failure of the banks to do this the law required the Governor to issue proclamation publishing the names of the delinquent banks, and notifying the Treasurer not to receive their bills. This the Governor did, and when the Legislature met in November his message was largely taken up with a continued discussion of the Bank question. The battle of the Executive with the banks had not ended. Popular sentiment had overwhelmingly backed the Governor, but the banks were strong and defiant, and in the existing condition of the law they were powerful and independent. There was no formidable penalty attached to their disobedience of executive authority, and they had under the statutes as they were, in some cases issued as high as fifteen dollars for one, or at least previous returns so showed. Gov. Brown has always been a perilous foe, never holding up while he could strike upon a resisting antagonist. If the bank authorities supposed for a moment they could successfully and with impunity defy him in his official authority they were sadly mistaken. He came back with renewed vim. He discussed the whole question with great ability. He urged that the banks be required to pay a penalty of two per cent. a month upon their capital stock while they disobeyed the statute, which is now the law. He also held up to light imperfections of the banking system, which needed correction. Reviewing this acrimonious agitation, recalling the abuses that had crept into our bank system, and estimating the value of the reforms made in consequence of the stubborn fight of our resolute young Executive against the combined capital of the state in that memorable session of 1857-8, it will be seen that a very large amount of good was accomplished and a substantial service was rendered to the people. Before this the state treasury had suffered a loss of over half a million of dollars

on account of the Central bank and Darien bank. Besides, numerous financial panics in which the banks were controlling agencies had brought upon the citizens of the state individual loss. Gov. Brown was the direct cause of a wholesome and sweeping reform in our whole scheme of banking, a reform going to the very vitals of our prosperity, affecting commerce and agriculture. He so clearly and forcibly brought to light the evils of the then existing system, and he was so unyielding in pressing their reform, that a permanent change for the better was effected through his powerful instrumentality.

During the year 1858 a Cotton Planters' Convention was held in Milledgeville on the 8th of June, of which Howell Cobb was President, and Gen. B. H. Rutherford and Gen. J. W. Armstrong, Vice-Presidents. This convention illustrates the spirit of the South in that day to organizations for Southern benefit. Mr. Cobb addressed the convention, stating its objects. Committees were appointed on the following subjects, comprehensive enough, it must be admitted: 1. The Cotton Power. 2. Cotton Power as an American Power. 3. Cotton Power as a Southern Power. 4. Cotton Power as a Union Power. 5. Cotton Power as a Peace Power. 6. Cotton Power as an anti-Abolition Power. 7. Direct Trade with Foreign Countries. The coöperation of other states was invited, and the convention adjourned to September, when it re-assembled in Macon. Some reports were made, and the convention adjourned subject to the call of the chairman without any action.

Among the leading papers in the state at this time were the *Savannah News*, W. T. Thompson, editor; *Savannah Republican*, J. R. Sneed; *Macon Telegraph*, J. Clisby; *Augusta Chronicle and Sentinel*, Wm. Smythe; *Augusta Constitutionalist*, James Gardner; *Columbus Times and Sentinel*, P. H. Colquitt and James W. Warren; *Federal Union*, S. M. Boughton; *Southern Recorder*, R. M. Orme; *Atlanta Intelligencer*, A. A. Gaulding; *Griffin Empire State*, J. H. Steele; *Macon State Press*; *Calhoun Georgia Platform*; *Cartersville Express*; *Cassville Standard*; *Griffin Independent South*; *Wire Grass Reporter*; *Columbus Enquirer*, John H. Martin; *Savannah Georgian*, A. R. Lamar; *Athens Watchman*; *Newnan Banner and Sentinel*; *Albany Patriot*; *Columbus Corner Stone*, Gen. J. N. Bethune; *Bainbridge Argus*; *Lagrange Reporter*, C. H. C. Willingham; *Madison Family Visitor*; *Bainbridge Southern Georgian*; *Dalton Times*, T. R. Christian; *South-West News*; *Lumpkin Palladium*, Dr. J. C. C. Blackburn; *Temperance Crusader*; *Athens Banner*; *Sumter Republican*, C. W. Hancock. Of the editors then ruling the Georgia press there are liv-

ing, W. T. Thompson, still in charge of the *Savannah News*; J. Clisby, yet at the head of the *Macon Telegraph*; James W. Warren is Secretary in the Executive Department and a most polished writer; J. H. Martin, A. R. Lamar and Gen. J. N. Bethune are out of journalism; Dr. J. C. C. Blackburn is editing the *Madisonian* at Madison; J. R. Sneed is in the city of Washington, filling the place of Assistant Postmaster of the Senate. Col. Thompson won an enduring fame as a natural humorist by the publication of that inimitable book, "Major Jones' Courtship." But he had more than humorous power. A gentleman of strong convictions and decided views, he was an able political editor. Jos. Clisby of the *Telegraph* is one of the most versatile and graceful writers of the Georgia press. Some of his writings have been marked by a remarkable grace and a vein of delicate humor. A. R. Lamar was one of the purest writers of English that we have ever had on the Georgia papers. J. H. Martin has wielded a simple but vigorous style, and been noted for a judicial sort of conservatism in political commentary. Dr. Blackburn was a facile writer, and flourishes a ready sparkling pen to this day. C. W. Hancock is still publishing the *Sumter Republican*, one of the best papers in the state, and is a vigorous and versatile editor. Mr. C. H. C. Willingham is now editing the *Cartersville Free Press*, and is to-day as he was twenty-five years ago one of the boldest and most graceful writers in our state journalism.

Of the deceased editors, Jas. Gardner, Wm. Smythe, S. M. Boughton, R. M. Orme and J. H. Steele were all editors of state repute as experienced, aggressive and capable political controversialists,—men that bore themselves gallantly in the memorable campaigns of those days, giving hard blows and upholding their respective sides with bright capacity and rare vigor. The Milledgeville papers, though weeklies, were powers then, having large and general state circulation, and wielding great influence. Both Mr. Boughton of the *Union* and Mr. Orme of the *Recorder* were editors of unusual ability, and their bouts were marked by incisive force and a fine grasp of political argument.

The session of the General Assembly of 1858 has been touched upon in connection with the bank matter. Among the changes that had taken place in the body, Mr. Cumbie, the representative of Baker county, had been cut off in the formation of the new county of Mitchell, and Alfred H. Colquitt, the present Executive of Georgia, was elected as the representative from Baker. In the middle of the session, Mr. John E. Ward, the senator from Chatham county, and the president of the senate was appointed the United States minister to China, and re-

signed his place. Mr. T. L. Guerrey was elected president, and Mr. Wm. H. Stiles was returned from Chatham county, as its senator. The new counties of Banks, Brooks, Johnson, Echols and Quitman were created at this session, making thirteen new counties formed by this General Assembly. A bill was introduced and excitedly discussed to lease the state road. It is a curious coincidence that in his message, Gov. Brown, in discussing the state road, maintained its great value and remunerativeness, and avowed that as a private citizen, he would be ready to lease the road and bind himself to pay \$25,000 a month to the state for a long term of years. This very arrangement he afterwards consummated and is now executing. In spite of Gov. Brown's successful management of the road, the opposition press fought him savagely upon it. He persisted in his policy, cutting down every expense, keeping the road in good order, and paying monthly into the treasury large sums, until the opposition were silenced, and reluctant enmity was obliged to accord to him a great practical triumph of railroad government.

Every species of detraction was employed against him. He had appointed as solicitor general of the Cherokee Circuit, in the place of J. C. Longstreet, deceased, Col. J. A. R. Hanks, who belonged to the Baptists and sometimes preached. A howl was raised against Gov. Brown, on the ground that he was giving a monopoly of his official patronage to his Baptist brethren, and the charge was made that he had stocked the state road with this favored persuasion. Some statistical employés of the state road undertook to vindicate the Governor from this accusation, and published a table showing the religious complexion of the road force. There were 7 Lutherans, 60 Missionary Baptists, 12 Primitive Baptists, 5 Campbellite Baptists, 31 Presbyterians, 57 Methodists, 8 Episcopalians, and 15 Catholics. This exploded the charge. There were many personal inducements for opposition to the Governor, in his administration of the road. He had made an entire change of management in the force from superintendent down, thus creating an intense enmity in the discharged employés. The public complaint because the road had paid so little money into the treasury, under previous administrations had been so great, that the Governor deemed it best to establish a new régime. Again, the leading politicians of the state had enjoyed the privilege of free passes upon the road, and Gov. Brown cut off this, to the great dissatisfaction of the favored gentlemen. In selecting officers to run the road, he appointed men solely on his knowledge of their qualifications, and without regard to application or

endorsement, frequently tendering places to men who had not applied. The clamor of disappointed applicants thus added volume to the opposition. But the Governor had resolved to make the road a paying institution, and he pushed this purpose to completion, with his accustomed judgment and decision. The petty fuss against his reform, was soon lost in the great current of popular appreciation of his genuine public service. "Nothing succeeds like success" has a profound truth in it. A state income from the road of \$200,000 the first year, and \$300,000 the second, and \$400,000 the third, was an argument well calculated to silence grumblers and please the people.

The Governor in every matter that came under his control had an eye to promoting the State's interest. There was a large amount of the state school fund lying idle in the treasury. He deposited it with the Bank of Savannah until the time came to pay it out under the law, under an arrangement that brought the nice little sum of \$6,000 interest into the treasury. Under previous administrations, beginning with Gov. Geo. W. Crawford, a Whig executive, some twelve years before, who set the precedent, the practice was to publish executive proclamations in only one of the papers at the seat of government, selecting the organ of the party in power. Gov. Brown broke this custom, giving the proclamations to both papers.

It was during the year 1858 that a gentleman of very considerable repute, John A. Tucker, of Terrell county, committed suicide. He was a man of strong natural talent, without culture, of great local influence and state prominence. He took his own life in one of the moods of melancholy superinduced by occasional dissipation to which he was addicted. It was also during this year that a very general cattle disease prevailed, a sort of sore tongue among cows, that seized everything, but was not very fatal.

This year saw a distinguished Georgian, Hon. John E. Ward, selected as the United States minister to China, while another equally distinguished Georgian, Hon. Henry R. Jackson, had returned to his home in Savannah, after brilliant service as United States minister to Austria. Mr. Jackson was invited to address the Legislature on public matters, and did so on the evening of the 23d of November, 1858, in a speech of remarkable eloquence and power, on the theme of the "Extension of American Empire, and its Effect on Southern Institutions." It was a masterly vindication of the idea of territorial expansion, and abounded in passages of impassioned and beautiful rhetoric. The *Federal Union* in speaking of the address, said, "that golden thread of poesy, which

in other days linked his soul to the beautiful and the good of earth, still shines through the inner, and sways the sweet influences of the outer man." The following passage will give an idea of the exquisite eloquence of this address :

"First and foremost among men, Washington, declining to place a crown upon his own brow, *immaterialized* the principle of government, taking it out of material forms and placing it in the abstract law. There it stands, cold yet pure, unsympathizing yet incorruptible, a crowned abstraction, holding the scepter of empire in its pulseless hand, the constitution of these United States. (Cheers.) Sublime reflection! that the American citizen is the subject only of thought. Exalting prerogative! that wherever or whoever he may be, whether seated in the executive mansion, the nation's chief, or following his plow in the broad blaze of the noon-day sun in the solitude of the Western wilderness, he recognizes no material medium between himself and the soul of all thought, of all law, of all truth, and that when he kneels he kneels alone to his God! (Cheers.)"

He thus concluded in a storm of applause :

"Not yours the vast commercial emporium with its countless temptations to corruption and crime; not yours the ancient capitol, enriched by the accumulated hoards of lapsed ages of enervating time; not yours the luxurious palace, adorned with the works of semi-sensual art; but yours at last is **THE STATE**, in the simple words, but sublime thought of the poet:

'What constitutes a State?
Not high-raised battlement, nor labored mound,
Huge walls nor moated gate,
Nor cities proud with spire, and turret-crowned;
Nor starred and spangled courts
Where low-born baseness wafts perfume to pride,
But men, strong minded men,
Men who their duties know, but know their rights,
And knowing, dare maintain.
These constitute a State!'"

CHAPTER XI.

GOVERNOR BROWN'S SUPERB PUBLIC ENDORSEMENT AND RENOMINATION.

The Codification of Georgia Law.—Thomas R. R. Cobb.—The Universal Demand for Gov. Brown's Re-election.—The Unknown Gaddistowner, the Master of the State in Twelve Months.—The Unparalleled Torrent of Popular Praise.—Some of the Royal Voicings of Press and People.—Wonderful and Unprecedented Tributes.—A Monotony of Encomium.—The Democratic Nominating Convention.—Its Personelle.—John B. Walker's Flashing Speech.—Formalities Dispensed with.—Brown Renominated in a Unanimous Whirlwind.—The Exquisite Impromptu Speech of Henry R. Jackson.—A Gem of Eloquence.—Brown Brought In—A Remarkable Acceptance.—Resolves to make no Canvass.

It was at this time that the important work of the codification of our laws began. The General Assembly elected as Codifiers, ex-Gov. Herschell V. Johnson, ex-Judge David Irwin, and Judge Iverson L. Harris, at that time presiding over the Ocmulgee Circuit. Judge Harris was a citizen of Milledgeville, a lawyer of great ability and high character, who was afterwards elevated to the Supreme Bench. He was a gentleman of purity of nature and very positive and conscientious. He and ex-Gov. Johnson declined the duty, and Gov. Brown with admirable judgment appointed Judge Richard H. Clark and Thomas R. Cobb in their places. Mr. Cobb was the brother of Hon. Howell Cobb and one of the leading lawyers of the state. He possessed both high order of intellect and an elegant culture. He was also a man of herculean capacity for work. His industry was tireless. He had been for years reporter of the Supreme Court, was author of a Digest of Georgia law, and an erudite work on the Law of Slavery. He was a man of deep religious feeling and an elder in the Presbyterian church. He was also a professor in the Lumpkin law school at Athens. The Code was finished and adopted in 1860, to go into effect on the 1st day of January, 1862. A legislative committee consisting of Hines Holt, Dan'l S. Printup and W. W. Paine of the Senate, and Geo. N. Lester, Isham S. Fannin, W. G. Delony, M. W. Lewis, C. N. Broyles and C. J. Williams of the House examined and reported in favor of the code. The work was an extensive, original and unprecedented accomplishment, embodying in concise and symmetrical form the vast body of

common and statutory law in force in the state with the judicial exposition of the same. In 1863 the Code was remodeled to conform to the Confederate Constitution. In 1867 a revision of the Code was made by David Irwin, covering the changes made since the surrender, including the Constitution of 1865, and this revised Code was examined and reported upon by a committee of citizens, appointed by Gov. Jenkins under a resolution of the General Assembly, composed of Gen. Andrew J. Hansell, Col. Logan E. Bleckley and Col. Nathaniel J. Hammond. This has been known as the Code of 1868. The last revision of the Code was in 1873, by David Irwin, Geo. N. Lester and Walter B. Hill, and the examination of it was done by the Attorney General of the state, Hon. N. J. Hammond, under direction of a resolution of the General Assembly of 1872. This revision contained the Constitution of 1868, and the supreme court decisions and the statute laws up to 1873.

In the beginning of the year 1859 the agitation of the gubernatorial succession commenced. The convention was called for June. The whole drift of democratic preference was for Governor Brown. No Executive in the history of the state has ever made such an impression upon the people. His establishment and maintenance of leadership was something phenomenal. His clutch of the popular heart was a miracle of personal achievement. His fierce strifes of public policy and sturdy championship of the public interest had rooted him deep and fixed in the affections and admiration of the masses. His popularity was so pronounced that no democrat allowed his name to be canvassed in opposition to the people's manifest desire for Brown. It must be considered that at this time it was but a little more than a year since he had been sprung, an unknown man, upon the people of the whole state. Yet in this brief time, in spite of inexperience and the drawbacks of his obscurity, he had by his iron force of character, magnificent genius of common-sense, and inborn statesmanship, impressed himself upon the commonwealth as a vital, foremost, irresistible public leader, the uncontested and dominant master of the state. It was a proud work.

The spontaneous utterances of the press, and the unprompted resolutions of county meetings in all parts of the state testify strikingly to the public estimate placed upon Governor Brown after this one short year of public service as chief magistrate. It was a realization of the ancient fable of the consummate Minerva springing full armed and matured at birth from the brain of Jove. Without the usual apprenticeship in public life, he had shown himself a full-grown statesman,

handling the great and complicated affairs of state government with unsurpassable ability. Some of the endorsements of him are remarkable. Col. W. A. Lewis of Forsyth Co., who had opposed Brown, wrote to the *Lawrenceville News* that "he cordially endorsed Gov. Brown's administration of the affairs of the state." Hon. Wm. H. Stiles, who was before the last convention, saw his name mentioned in the "Southern Confederacy," at Atlanta, as a probable candidate for Governor. He published a brief letter, saying, "I have no desire to disturb an administration which, so far at least as the public prints indicate, seems to afford such general satisfaction." In a very strong editorial Dr. Blackburn of the Lumpkin *Palladium* used these incisive sentences:

"His Excellency, Governor Brown, has, as we predicted in an editorial of May last, when the bank organs of the state were hunting him down with *blood-hound* ferocity, proven himself fully competent to discharge the duties of Governor of a great and growing commonwealth, and now is entitled to the proud epithet of being the *model* Governor of this Union. He is a safe custodian of the people's honor, a fearless exponent of correct principles, and a safe keeper of the mighty resources of the Empire state. He has by his fearless course forced his traducers to acknowledge his administrative capability. He is *our only* choice for Governor for the next term, and we believe that we but reflect the honest sentiments of four-fifths of the Democracy of South-western Georgia."

The Columbus *Times* used this forcible language:

"The administration of Joseph E. Brown has been from the period of his inauguration to the present moment, successful and satisfactory to the people. We need not refer to the acts of his administration in proof of what we say—we need not allude to his bold, independent course in displacing officers—adhering to true and correct principles, and his successful management of the state affairs, to vindicate us in awarding to him what justice demands. We mean simply to echo the sentiments of the people in wishing the shafts of malice thrown at him to be broken, and that he will remain another term in the office which he now fills with so much credit to his party and honor to his state."

The Milledgeville *Recorder*, the uncompromising organ of the opposition, in the following paragraph of bitter sarcasm bore unconscious testimony to the Governor's influence:

"It is known that Gov. Brown has won an enviable reputation as an honest man, especially in a financial point of view, and the knowledge and belief of it was quite visible upon the legislature. For it was a noticeable fact, that whenever a bill or resolution that had for its intention the appropriation or paying out of money, it was immediately suggested that it be referred to the Governor to do as he thought best. In other words, the legislature seemed willing to shift all responsibility, and dodge behind the accredited honesty of the Governor."

The Macon *Telegraph* stated emphatically:

"It is universally conceded that the *people*, or ninety-nine in one hundred, at least, of the democracy are favorable to the re-nomination of Gov. Brown."

These are specimens of the complimentary endorsement that the party press of that day gave Gov. Brown. It was, however, in the resolutions of the county meetings that popular approval seems to have uttered its most ardent expressions. At a democratic meeting held in Milledgeville in March, presided over by Col. D. C. Campbell, a committee composed of Judge I. L. Harris, M. D. McComb, F. G. Grieve, Dr. W. A. Jarratt and D. P. Brown, reported the following extraordinary resolutions, which were unanimously adopted, and constitute as powerful a public tribute as any public man ever received:

"The year 1859 is destined, politically, in Georgia in some respects from appearances to be remarkable. Within the memory of the eldest among us, the high honor of being the Governor of the state has never been won and worn without a severe, and most usually, a bitter party contest. It has not unfrequently, also, been a matter of difficulty to ascertain the *choice of the people*, and hence the necessity which has hitherto existed for conventions to collect, concentrate and reflect their will.

"In the ranks of the democratic party there is no contest for this high office; if there have been any aspirations for it, they have been hushed in the general voice of the people of Georgia. One name—one person only is thought of—talked of for Governor. It is folly,—it is worse,—it would be madness, to attempt to frustrate that will that makes itself so unmistakably and audibly heard. Of the people—he is emphatically at this time the favorite of the people.

"It will be, we think, the peculiar good fortuné of Gov. Brown, though he should again be presented by the democratic party for re-election—to meet with an acceptance from the state at large, which it never was the lot of any of his many distinguished predecessors to secure. Such an event—a probability most likely to occur—is strikingly suggestive. Can it be otherwise than that his administration of the executive department has been singularly wise, prudent, just, vigilant, firm and energetic, and in accordance with the pulsations of the popular heart, to have commanded, as it has done, such an unwonted popular approval.

"Compelled by official duty to reside within our limits, the citizens of Baldwin county cheerfully bear testimony to the modest, affable and unpretending deportment, and to the plain, simple, republican habits of this distinguished citizen of the Cherokee section of Georgia, by which he has secured our affections and esteem."

This magnificent and spontaneous encomium, unlike the hackneyed formalism of such occasions, coming from the source that it did, extorted as it was by sheer merit and the luster of unembellished deed, giving exalted precedence to the simple man of the people above a long line of aristocratic and brilliant predecessors, was indeed such a grand public recognition as few men deserve and fewer obtain. The Democracy of Talbot county resolved, "That the wisdom and unwavering firmness of his excellency Gov. Brown, his upright and judicious admin-

istration of state government, his practical and praiseworthy management of public property, his guardian protection of the people's every interest in his hands, not only warrant his continuance in office, but command the respect and admiration of every true Georgian." The democrats of the plucky county of Campbell instructed their delegates "To go for Brown first, Brown last, and Brown all the time, and never to surrender 'our choice' to the factious opposition of a minority having personal injuries to redress and avenge." L. B. Watts was chairman of the meeting, and Dr. T. C. Glover chairman of the committee that reported these pointed words, Butts county declared that "the administration of Gov. Brown meets with unanimous approval." B. F. Ward was chairman, and the committee, A. Taliaferro, C. S. Foster, E. Varner, Thomas McKibben and J. Carmichael. The Wilkinson county democracy said that Gov. Brown's administration had "met with the cordial approbation of almost all parties throughout the state." In a Cobb county meeting presided over by Judge Rice, T. H. Moore, chairman of committee, reported resolutions declaring "that Joseph E. Brown is the people's choice, and they will be content with no other," and that a convention was unnecessary. Cherokee and Stewart counties had rousing meetings. In the Stewart gathering, Judge James Clarke speaking used this slashing language: "Joseph E. Brown at the commencement of the last political campaign was called in derision '*the Cherokee cow driver*;' he has proved himself the *driver out* of the plunderers of your country; the *driver out* of dishonesty in high places; the *driver out* by his intrepid vetoes of vicious and corrupt legislation; and the *driver out* of those exclusive privileges by which one set of men are enabled to enslave another." And he added this applauded compliment: "Brown has proved himself as *thoroughly made of hickory as Old Hickory himself*." The Pulaski county democracy resolved to support "*Honest Joe Brown*." In Washington county a meeting presided over by Gen. T. J. Warthen, with J. N. Gilmore and Evan P. Howell as secretaries, adopted unanimously a graceful and vigorous set of resolutions reported by a committee composed of Col. James S. Hook, Thomas O. Wicker, Beverly D. Evans, Jno. Kittrell and W. G. Robson. The resolutions bear the mark of having been written by that writer and speaker of unusual power, Colonel, afterwards Judge Jas. S. Hook, one of the ablest lawyers and purest citizens of the state. The following resolution is a glowing encomium upon Gov. Brown.

"*Resolved*, That the administration of Gov. Brown stands out in its own solid, yet unpretending grandeur, a splendid monument of high intellectual sagacity and moral

heroism, reminding us most vividly of the stern and manly virtues of those noble and great men who illustrate the early history of the republic."

The Merriwether county Democracy complimented Gov. Brown's "watchful guardianship." Wilcox county deemed it "but an act of sheer justice" to renominate him; Appling county declared him "the man who was not afraid to throw himself between the frowns of the corporations and the people's interest." Muscogee county, in a meeting presided over by Wiley Williams, declared that Gov. Brown "is our first choice." Even Chatham county, the central point of the bank influence, endorsed Gov. Brown's administration as a whole.

The endorsements above selected are taken from an unbroken current of commendation, that the people of the state gave to Gov. Brown. No public man has ever been so endorsed. There was almost literally no dissent in the Democratic party. Fulton county at first seemed divided upon Gov. Brown, there being many disappointed state road employes in Atlanta, but a public meeting decided overwhelmingly for Brown. Polk county sent a divided delegation to the convention. And Cass county alone sent an anti-Brown delegation headed by a discharged railroad official. The Wire Grass Reporter with a grim humor, said editorially, "We were really getting a little wearied and jaded at the everlasting resolution, recurring in every county, pronouncing in favor of the renomination of Joseph E. Brown, until we came to Cass. Here we found a change come over the spirit of the meeting; a new sensation sprung quite refreshing amid the Brown monotony; a new 'hu-r-r-ah,' reminding us strongly of Rip Van Winkle's approach to the whig meeting after his thirty years' nap, swinging his beaver and huzzaing for old King George; and like Rip if the Cass boys do not get hustled for it, we shall wonder." Even some of the opposition press were for Gov. Brown. The Sumter *Republican*, edited by Mr. Hancock, was for calling an American state convention, but urged that the convention should endorse Gov. Brown.

The Democratic convention, assembled in Milledgeville, on the 15th of June, 1858. It was a very large and able body. There were 405 delegates from 117 counties. Among them were Gen. Henry R. Jackson, and Hon. Julian Hartridge of Savannah, Hon. James Jackson of Clarke, Gen. William Phillips of Cobb, Milton A. Candler of Dekalb, E. W. Chastain of Fannin, Logan E. Bleckley of Fulton, Daniel S. Printup of Rome, W. A. Lofton of Jasper, F. H. West of Lee, Samuel Hall of Macon, Randolph Spaulding of McIntosh, T. P. Saffold of Morgan, Porter Ingram of Muscogee, H. Fielder of Polk, L. J. Alfred of Pickens,

Dr. J. C. C. Blackburn of Stewart, W. A. Hawkins of Sumter, D. N. Speer of Troup, C. J. Wellborn of Union, E. H. Pottlè of Warren, George Hillyer of Walton, J. A. R. Hanks and W. K. Moore of Whitfield, Gen. T. J. Warthen and T. O. Wicker of Washington, and Hon. James L. Seward of Thomas.

The business went through with a rush in this large convention. The party had spoken with an emphasis and a unanimity rarely seen. The great gathering was merely met to record the popular will. The ordinary formalities were brushed aside. Mr. Steele moved to dispense with the calling the list of delegates and go to business, and it was promptly done. Col. John A. Jones moved a committee on organization. E. W. Chastain moved that John B. Walker be made president by acclamation, and it went through like a flash. Mr. Walker was a farmer, but he made a ripping little speech. Modestly claiming to be no presiding officer, he glittered out in a rare succession of eloquent utterances. Said he, warming up:

"We have not assembled here, gentlemen, to discuss our political creed, to repair our political platform, to add a plank to it, or take one from it. No, gentlemen, we feel that our old political platform is one so durable, that time may wither at its base, eternity play around its summit. We have come here to place upon that old political platform a man that is worthy of our full and entire confidence, and who will secure the popular vote of the state."

He closed in a whirlwind of applause. Several motions were made for a business committee, but the body was in no mood for formalities. Hon. James L. Seward offered a crisp trio of resolutions. The first reaffirmed the Cincinnati platform of 1856; the second endorsed President Buchanan; the third was as follows:

"*Resolved*, That the honesty, fidelity and ability which Joseph E. Brown has manifested, as the Executive of Georgia, entitles him to the confidence of the whole people of the state, and we hereby nominate him by acclamation, as the candidate of the democratic party of Georgia for the next Governor."

The first and third resolutions were immediately adopted unanimously. The second resolution about Buchanan was adopted by 371 yeas to 34 nays. Hon. Henry R. Jackson was called on by the convention for a speech. Rising in response to the call, Mr. Jackson began in that musical, tremulous, penetrating voice that so well suited the exquisite diction and eloquent thought that marked his speeches.

"And what am I to say, Mr. President, in response to a call so flattering to my vanity, but at the same time so wholly unexpected by me. Indeed the occasion for a speech would seem to have passed, when by its action this convention has already announced the almost universal thought. I seize upon the moment, then, not for argument but for

congratulation that argument has been in truth at no time necessary to secure among us concert of opinion, of feeling and of action. The principles we profess, the course and character of the men we support—more potent than words of eloquent persuasion had already secured it for us.

"If I begin where the action of the convention left off—if I begin with the nomination of Joseph E. Brown for re-election to the Gubernatorial Chair, I feel that my last remark comes with peculiar propriety from one who represents in part the County of Chatham and City of Savannah. It seems to have been at one time supposed that such a nomination might not be acceptable to the Chatham Democracy. But I am assured that I utter the sentiments of those who have sent me here as a delegate, and also the sentiment of my colleagues, in that delegation, when I say that our honored Chief Magistrate, by the general ability of his State Administration, by his integrity of purpose and energy of action has deservedly secured for himself the earnest support of the true-hearted democracy of Chatham, precisely as he has this day commanded the approval of the entire democracy of Georgia. It is not that there may not have been some conflicts of opinion between us in the past; nor that the possibility may not still exist of similar conflicts in the future; but because in the essentials of our political faith we are with him, and with him in full, honest and warm accord."

The applause that followed Mr. Jackson in these beautiful allusions to Gov. Brown showed how warmly he echoed the popular pulsation. He concluded with a brilliant defense of President Buchanan's course to the South. A committee was appointed of S. J. Smith, J. H. Steele, H. R. Jackson, D. C. Campbell and Porter Ingram to notify Gov. Brown and request his acceptance of the nomination. The committee returned in a few moments escorting the fortunate recipient of this marvelous honor. Gov. Brown came in amid a storm of feeling, placid and composed as he ever was. But a brief two years had elapsed since, unknown to the state at large, he had while binding wheat—Cincinnatus like—on his mountain-valley farm, away from the telegraph and the iron track, received the unexpected news of his nomination for governor. The question that pealed from the public voice, "Who is Joe Brown?" was an honest one. It had to be answered. The people did not know. The homely young countryman had answered it, and the answer was a real one. It was a response of unparalleled power. But a year and a half of executive duty was needed to result in a unanimous and irresistible demand by the great popular will for his re-installation in his exalted trust. The state knew him, and knew him so well, that *the people*,—the "Woolhats" that he came from, and whose interests he had guarded as well as the aristocrats who ridiculed him and whom he had fought, stood shoulder to shoulder in admiring recognition of his high public service, and vied in doing honor to this simple but superb public administrator of the people's affairs. And it was a singular and impressive coincidence that the man of all others that

stood as the eloquent mouthpiece of a great state in emphasizing this matchless tribute to the plain self-made man of the democratic masses was the aristocratic descendant of one of the great and illustrious families of the republic,—a family princely from its achieved distinctions,—who represented the courtliest constituency in the state, that placed high value upon the hereditary transmission of gentle blood and thorough-bred ancestry. Not only this, but this constituency had been the very pedestal of these financial influences that the executive had so successfully antagonized, and it was a striking reward of honest purpose and undeniable ability that even these embittered powers joined in this splendid and substantial ovation.

Gov. Brown's impromptu response on this supreme occasion was in some respects a remarkable one. Expressing the deep sense of appreciation of the public confidence, modestly referring to his past executive course, incisively endorsing the national policy indicated by the convention, he went on to speak with pride of the position of Georgia in the sisterhood of states and her unequaled resources. Her bonds were quoted at a higher premium than those of any other state. Her debt was only two and a half millions, while she owned property worth from seven to ten millions. Her railroad enterprises were being pushed rapidly, so that the people of remote sections were becoming neighbors. His earnest expressions of interest in the subject of popular education drew enthusiastic cheering. But the part of his speech that surprised the convention and illustrated his dutiful ideas, was his declaration that he should not undertake to canvass the state. He said :

"My official course has been open and above board, and is known to the people. I am willing to be judged by my *acts*. While in office I could not canvass the state without frequently neglecting important official duties; and I am unwilling to neglect the duties of an important official trust confided to me by the people for the purpose of canvassing for another term in office. If my health permits, and I perform faithfully my executive duties, and by necessary co-operation with the able, efficient and trustworthy officers of the state road, can assist them to pour into your state treasury from thirty-five to forty thousand dollars in cash per month, I shall feel that I am doing the state more service than I or any one who may be my opponent could do by traveling over her territory and making stump speeches. This monthly argument I expect to continue to repeat. Thirty-five to forty thousand dollars per month is an argument in favor of the democracy that will be felt in the elections."

Singularly free from the slightest attempt at rhetorical display, Gov. Brown's speeches have been exceptionally effective. His avowal that he would not canvass for re-election placed him, if anything could, with increased strength before the state.

CHAPTER XII.

THE GUBERNATORIAL TUSSLE BETWEEN GOV. BROWN AND WARREN AKIN.

The Opposition Convention called by an Extraordinary Pronunciamento.—Sharp Assaults on Gov. Brown.—Personelle of the Convention.—Warren Akin Nominated.—The Canvass of Col. Akin.—The Congressional Canvass.—Martin J. Crawford.—Gov. Brown Re-elected.—The Legislature of 1859.—Its Personelle.—Clifford Anderson, John Screven, Robert N. Ely, George N. Lester, A. R. Lawton.—Gov. Brown's Second Inauguration.—Review of Gov. Brown's Rare Administration.—Brown's Reference to Federal Affairs—His Affinity with the Southern Side of the Slavery Question.—A Strong Message.—Tribute to Sir James Oglethorpe.—An Unerected Monument Appropriated.

THE Know-Nothing flurry was over. The name of "Know-Nothing" had been discarded for "American," and this title was becoming wearisome. The party was anti-Democratic, but at sea for a proper name. The press of that party was divided. The *Macon Journal and Messenger*, and *Columbus Enquirer* were against running a candidate. The *Sumter Republican* wanted a convention, but wished it to endorse Brown. A number, however, were for a convention, among them the *Lagrange Reporter*, *Atlanta American*, *Athens Watchman*, *Bainbridge Georgian* and others. The central executive committee of the American party, composed of J. H. R. Washington of Macon, J. W. A. Sanford of Milledgeville, J. M. Calhoun of Atlanta and Foster Blodgett of Augusta issued an address declaring that they did not deem it advisable to call a convention of the American party. They, however, arraigned the Democratic party for a "series of unparalleled abuses and frauds upon the American people;" and enumerated among these the "Kansas swindle," squandering the public money, encouraging sectional feuds, conniving at Mormon protection and electing an abolition Governor over a Southern state. The evils connected with the naturalization of foreigners would be corrected in due time. To hurl the corrupt democracy from power was the high public duty of the day. The committee therefore called an OPPOSITION CONVENTION to meet in Milledgeville the third Wednesday in July, 1858, to consist of delegates chosen without respect to political antecedents, provided they were opposed to the party in power. This remarkable pronunciamento, one of the most

astounding political documents ever issued, wound up with these words, "Our word for it, we shall be able to organize such a party as will not only correct all local abuses, but rout the plunderers, and save the national government of our fathers from demoralization and ruin." This formidable fulmination of a bewildered committee representing a shattered and floundering party organization, occasioned a flood of railery from the Democratic press of Georgia. Grandiloquence, bombast, last splutter of the wet powder pyramid, possum party, womble-cropped family, conglomerated, ring-streaked, were some of the ridiculing phrases that found vent against this amusing manifesto.

The Savannah *Republican* was the most savage of the opposition press against Gov. Brown. It flamed out ferociously against him. It called him "that inflated little demagogue Joe Brown," that flapped his wings like "a bantam cock;" said he was "disgustingly puerile" in his speech in the convention; that an "ass" would rule the people of Georgia as well. These terms were somewhat different from the polished encomiums of the eloquent Jackson. The Milledgeville *Recorder*, the organ of the opposition party candidly owned that Gov. Brown "has done well and deserves the thanks of the whole people of Georgia." Thus divided among themselves, the opposition were undecided what to do. There was one controlling reason why the organization under some name should be kept alive, and this was that in several congressional districts they could secure congressmen. The convention was called by the central committee in July in Milledgeville. The Savannah *Republican*, in bitter opposition to Gov. Brown, insisted that the opposition convention should not meet in Milledgeville, because Brown had been nominated there. A call was issued for Macon, and the convention met there and adjourned until the 10th of August, 1858, in Atlanta. The re-assembling of the convention in Atlanta was during a wet, gloomy spell of weather, that typified the spirit and the prospects of the party it represented. Hon. D. A. Reese was chairman of the convention. A business committee consisting of C. H. Hopkins, Jonathan Davis, R. P. Trippe, B. H. Hill, Dr. H. V. M. Miller, Dr. R. D. Winn, David W. Lewis, John Milledge, was appointed. Messrs. Trippe, Winn and Lewis not being present, their places were filled by Peter W. Alexander, Mr. Gibbs of Walton and Miles W. Lewis. Dr. Miller, the chairman of the committee, reported that the committee had failed to agree as to the propriety of nominating a candidate for Governor, and desired to refer the matter to the convention.

A spirited scene occurred in the body over this matter. Col. W. F.

Wright of Newnan, who was running for congress against Col. Gartrell, let it out that in the event the convention decided to nominate the committee had determined on the man. Mr. Alexander wanted the vote of the convention to be by counties and not by delegates. These two matters created quite a disturbance. Both Mr. Alexander and Col. Joshua Hill of Morgan charged upon Col. Wright a blunder in divulging the action of the committee. The confusion was very great. One delegate whose name is not given in the proceedings threw a bombshell in the stormy assemblage by saying that "he had supposed all along that the question was *not who they should nominate, but who they could get to take the nomination.* If they could get a responsible man to take it, he thought it foolish to waste any more time in determining how it was to be given to him."

After a tumultuous time the convention voted to have a nomination and the committee reported the name of Col. Warren Akin of Cass county, now Bartow, for Governor. The committee to notify Col. Akin of his nomination was James Johnson, John Milledge and Cincinnatus Peeples. Col. Akin accepted the nomination in a brief letter that contained no enunciation of policy, but declared that he would not be able to canvass the state. This he re-considered afterwards, however, and he did make a series of speeches.

Col. Warren Akin at this time had not been prominent, in state politics, though he had considerable local reputation as a very able and successful lawyer. He was a self-made man, possessing decided ability, and very effective speaking power, and as much purity of private character as any public man we have ever had in Georgia. He was a local methodist preacher. Col. Akin was rather a small man in physique, but had a voice of remarkable compass, both shrill and deep, with peculiar ringing quality in its high notes. He had unusual fervor and sincerity of conviction and earnestness of character. He could not be called a popular gentleman, on account of a certain unyielding vigor, and a forcible impatience at what he condemned. As a laborious student, in a clear comprehension of the law, and in strong argument, Col. Akin had no superior, and few equals in his circuit. No man in his section enjoyed a larger share of individual and public esteem than he, and his selection to lead the forlorn hope of the opposition was a deserved tribute to his worth and ability. He was afterwards elected to the confederate congress, and made merited reputation in that field.

He was a strong speaker, but in his canvass he was not at a proper advantage. He was principally confined to a warfare upon Gov.

Brown's administration, and that had been too good a one to admit of successful assault. He traversed the state, making as much of the canvass as any one could have done. The opposition press settled into a very bitter and slanderous war upon Gov. Brown, assailing him with detraction and scandal. Gov. Brown staid in his office quietly discharging his executive duties, and letting the democratic press and the people fight his battle. Col. Akin made a gallant but an unavailing campaign. He had no hope of success, nor did the sensible men of his party. He made much reputation in the state for eloquence and ability, but he gained no votes from Brown. On the contrary, Gov. Brown increased his previous majority of something over 10,000, to over 22,000, or more than doubled it. In Brown's own county, Cherokee, and Akin's own county, Cass, as well as in Baldwin, that had never given a democratic candidate for governor a majority, Brown obtained majorities.

Mixed with the gubernatorial canvass was the congressional campaign. The democrats had nominated Peter Love, Martin J. Crawford, Alexander M. Speer, Lucius J. Gartrell, John W. H. Underwood, James Jackson, R. G. Harper, and Jenks Jones. Mr. Stephens had retired from public life, and Jenks Jones of Burke was the democratic nominee in his place. Against these gentlemen the opposition party was running J. McIntyre; against Crawford, Gen. Bethune and Mr. Douglass; Thomas Hardeman, Jr., W. F. Wright, — Shackelford, — Lytle, Joshua Hill and Ranse Wright. The opposition elected Hardeman and Hill by small majorities. Three of the democrats re-elected had made high reputation, Martin J. Crawford, James Jackson and Lucius J. Gartrell. All of these had delivered eloquent speeches in Congress, that had attracted much attention. Mr. Gartrell was a large, powerful man, robust, hearty and full of animal spirits, a bold, buoyant declaimer, and a ready debater. Crawford and Jackson were both slender, nervous men, but of intellectual vigor and earnest speakers. Crawford has, all of his life, been marked by a dry vein of exquisite humor, and a keen, practical wisdom that have made him not only an entertaining companion, but a man of strong influence. Jackson, of the two, was the most fervent orator. No man in the state has been more free from partisanship, whether political or personal, than Crawford. It is a little curious that three of the gentlemen, conspicuous in that congressional canvass of 1859, Crawford, Jackson and Speer, now occupy the supreme bench of Georgia, in this year 1881, and constitute a very able court. Mr. Speer was defeated, but he has from that day to this

been an influential public man, especially noted for practical ability and a genial disposition. Mr. Jenks Jones is still living in Burke county, one of the honored and influential citizens of that fine old county, a lawyer of ability, and a gentleman of great local power.

The Legislature convened in November. It was overwhelmingly democratic. Of those who had so vigorously fought the bank veto of Gov. Brown, few had been re-elected. The House included among its leading members, Clifford Anderson of Bibb, Julian Hartridge and John Screven of Chatham, George N. Lester of Cobb, R. N. Ely of Dougherty, T. W. Alexander of Floyd, R. L. McWhorter and M. W. Lewis of Greene, J. L. Harris of Glynn, D. W. Lewis of Hancock, I. Fannin of Morgan, C. J. Williams of Muscogee, William Gibson of Richmond, and S. J. Smith of Towns. The speaker elect was Isaiah T. Irvin of Wilkes county. Among the brightest of these men was Julian Hartridge of Savannah, a very ornate and eloquent speaker and brilliant lawyer, who afterwards became a congressman and died in congress. His colleague, John Screven, was a son of Dr. James P. Screven of Savannah, who was the chief founder of the Atlantic and Gulf railroad, in which the state took a million dollars of stock. Col. John Screven is still living, a stately, slender gentleman of delightful address. He was for years mayor of Savannah, and succeeded his father as president of the Gulf road. Two members of this general assembly, by a curious coincidence, have held the position of Attorney General of the state under the present executive Gov. Colquitt, Robert N. Ely and Clifford Anderson. The administration of Mr. Ely as Attorney General, has been a conspicuous success, being especially noted for his collection of nearly a quarter of a million of back taxes from the railroads. Col. Anderson is a large, dignified gentleman of high ability, and a graceful, strong speaker. Col. Anderson was a member of the confederate congress, as also was George N. Lester. Mr. Lester has been Judge of the Superior court, and was defeated candidate for congress in the hot contest in the 7th district, in 1878, with the famous Parson Felton. Few men have equaled Judge Lester on the stump. Thick-set and solid in figure, with heavy, massive, homely features, bearded to the very eyebrows with dense black whiskers, with a voice of remarkable sweetness and power in its low tones, with an inexhaustible fund of humorous anecdotes, and an inimitable humorous way of telling them, with a fine sonorous flow of words, and especial capacity of pathos, this gentleman is a rare talker on the hustings.

The Senate, which was an enormous body, comprising 132 senators,

was an unusually able council. L. H. Briscoe, Phil Tracy, Peter Cone, A. S. Atkinson, Alexander R. Lawton, A. T. Hackett, Daniel S. Printup, Thomas Butler King, Geo. T. Bartlett, Harrison W. Riley, R. Spalding, R. P. Trippe, Hines Holt, George W. Jordan, T. L. Guerry, Clement A. Evans, W. S. Wallace, W. W. Paine, James L. Seward, Edward A. Flewellen and William A. Harris, were in this senate. Philemon Tracy of Macon, was a most brilliant and promising young man, who died early. A. T. Hackett is at present a state senator, a ready speaker. Col. D. S. Printup has amassed a large fortune by successful practice of the law. George T. Bartlett has been a judge of high repute. Old Gen. Harrison W. Riley was a character, an illiterate man, but a local king, an odd, burly, shrewd old fellow, long since dead. Clement A. Evans brilliantly distinguished himself as a Brigadier General in the confederate army, and is now a shining light in the Methodist Georgia conference—a preacher of great power and piety. George W. Jordan still continues to come to the legislature from Pulaski county, when he wishes. The strongest man in this legislature was probably Alexander R. Lawton of Savannah, who has frequently represented Chatham county in the Legislature, who was afterwards Quartermaster General of the confederacy, and who recently was defeated by Joseph E. Brown for the United States Senate. Gen. Lawton has been a force in Georgia for the last twenty-five years. His erect, solid, sturdy, well-set figure and fine, open resolute face, well typify the man, intellectually and morally. His clear intelligence, intrepid firmness, unwavering truth, straight-forward candor, unpretentious simplicity, blended dignity and politeness and business energy and promptness have made him a person of growing public influence. Hon. T. L. Guerry was elected president of the Senate, and F. H. West secretary.

Gov. Brown was inaugurated and entered upon his second term as the Executive of Georgia under circumstances peculiarly auspicious. He had made an administration especially original and salient. He had ripened from being unknown into a state influence and political power unprecedentedly rapid and potential. He had received a popular endorsement absolutely conclusive. He was enthroned in the public confidence. His ability, practical judgment, energy, immovable will, fearless courage, sagacity and devotion to the public interest, had all been shiningly shown and tested. He had performed great and undeniable public service. He had reduced the rate of taxation from nine cents to six and one half cents on \$100. He had brought up the State railroad from a condition of almost entire unremuneration to where it had paid over

\$400,000 in a single year, into the state treasury, to relieve the tax burdens. He had established a school fund of \$150,000 a year. He had canceled an extra \$100,000 of the public debt beyond what was due. He had been the direct means of hedging in a latitudinarian banking system with safeguards and restraints that to this day are preserved. He had vindicated the independence of the executive department of the state government from legislative encroachment. He had fearlessly inaugurated the practice of a true civil service policy. He had instilled into every branch of the state administration a healthy activity and official responsibility. And the people knew and credited him with his valuable work. His position at this time was a proud one. He stood upon a splendid vantage ground of popular influence. He had attained this power by his own unaided brain and resolute will. And from this time on he was destined to be the master spirit in Georgia affairs, holding his firm rule through all the tumultuous phases of a great strife, and amid every shifting change of personal influence.

His inaugural address was a practical, characteristic emanation. Alluding to the fact that he had become Governor the first time in a period of trouble and distrust, he modestly said that he had tried to meet his official responsibilities conscientiously. The people had passed their verdict upon his administration. He then entered into a brief review of the present condition of the State, making an eloquent summary of the resources and advantages of the commonwealth. Amid all of this sunshine and prosperity, however, there was a cloud upon the northern horizon that portended evil. He thus clearly stated the national issue pending.

"Our fathers consented to enter the confederacy of these states only upon terms of perfect equality; and we, as their sons, would be unworthy of our sires, if we consented to remain in the confederacy a day longer than this principle of equality is recognized. Prompted by ambitious leaders, who are willing to sacrifice their country for place and power, a majority of the people of the northern states have formed themselves into a great sectional, political party, which virtually denies our equality in the Union."

Proceeding to state that in the great presidential contest of 1860, soon to come, the issue lay between the Black Republican and Democratic parties, he thus concluded:

"I love the union of these states, and am prepared to make every reasonable sacrifice to maintain it, so long as it does not violate the rights of my native South. But should the two come into conflict, I love the rights of the South *more*, and am prepared to defend them at any sacrifice and at every hazard. In the present condition of affairs I would advise the citizens of Georgia to stand united with the National Democracy, so long as they continue to stand by her rights, and to protect them in the Union. But should this

organization be broken down, and her constitutional rights be denied, and her equality in the Union destroyed, I would then advise her citizens to strike for independence out of the Union—and to pledge each other, 'their lives, their fortunes, and their most sacred honor,' never to forsake each other till triumphant success shall have crowned their efforts. My fervent prayer to Almighty God is, that this necessity may be averted,—that wisdom, moderation and justice may control all our National and State councils—and that the rights of the States, and the Union of the States, may be thus perpetuated."

The concluding expressions of this inaugural were the outcome of the national situation in politics, and betokened the dangerous temper of the southern people at that time, but a little more than a year before the great civil war of the century. Gov. Brown's utterances were significant, and emanating from that source, were full of portent. He was not a man to utter meaningless words. He was a singularly true exponent of the controlling popular sentiment, and has been all of his life. A subtle sympathy with the masses added to extraordinary common sense methods has made him a natural born, popular leader. In the premonitory phase of the great conflict that began in 1861, Gov. Brown was in profound affinity with the southern side of that important moral and political convulsion. He represented two especial and practical characteristics of southern spirit, the intense state's rights conviction, and the decisive purpose to enforce that conviction. This matter will be more fully touched upon a little farther on, but at the present the narrative of state affairs will be resumed.

Gov. Brown's second annual message was an entirely practical document. It contained some of those business-like suggestions that his common sense intelligence was ever deducing from actual experience. And they were made in that direct, unmincing sort of way that belonged to the man. There was no circumlocution, no red-tape diplomacy in Gov. Brown's official utterances. He went directly to the pith of matters, and dealt with facts without ceremony. In his views he was governed by no consideration of the majesty of a cöordinate branch of the state government. There was no glamour of official authority that affected him. He attacked what he conceived to be an error or a wrong practice in the General Assembly, and asserted what he conceived to be a constitutional prerogative of the Governor's office in a fearless and frank manner, and without any punctilious palaver of etiquette. He was a homespun man of business, doing what he deemed his duty careless of opposition or consequences. He rasped in his message what is to-day, and has always been, an evil practice of legislatures, viz., neglecting the earlier part of a session, and hurrying business at the close, resulting in hasty and inconsiderate legislation. He also attacked

another chronic practice of legislation, demanding reform, and which the new Constitution of 1877 endeavored to correct,—trivial class and local action. He took ground against the expensive multiplication of new counties which had become a nuisance. He urged the reduction of the Senate from its unwieldy size. He assaulted the costly clerk system of the legislature, which had become an onerous pecuniary burden to the State. His entire message was full of plain, sensible recommendations in regard to the judiciary, education, militia, etc. Among other valuable suggestions he urged what has since been commenced, a mineralogical and geological survey of the State. He was then an ardent advocate for state aid in developing the resources of the commonwealth. His views on education, as can be supposed, were liberal and broad. All of his messages and inaugurals pressed the enlargement of free educational facilities for the people.

During his first term Gov. Brown had used the veto power more freely than any Governor in the state's history. His enemies had attempted to impair him in the public estimation for this. In his message he made a brief allusion to his exercise of the veto power, in which with a few sharp sentences he shattered these assaults. The constitution had assigned to the Governor certain powers and duties as well as to the General Assembly, and the people should hold himself responsible for the independent exercise of those powers. The revision of bills passed by the legislature was a constitutional power of the Executive. If the Governor out of mere respect for the General Assembly signed bills his judgment did not approve, he denied to the people the exercise of that executive revision which under the constitution they had a right to demand as a protection against hasty or unwise legislation. And the Governor went on with his vetoes. He vetoed a bill relieving a surety on a criminal bond; a man standing between the law and a criminal must take the consequences. He vetoed a bill granting a divorce to certain parties; divorces belonged to the courts. He vetoed a bill giving to certain minors the privileges of adults; the law fixing twenty-one years as legal maturity is a wise one, founded on the experience of ages, and it is safe to adhere to it. He made other vetoes, but all of them based upon clear, sound reasons of law or public policy, and evincing the vigilant care and unyielding decision that he brought to the discharge of his executive duties.

The session of 1859 elected Hon. R. F. Lyon and Linton Stephens judges of the supreme court in the place of Henry L. Benning and Charles J. McDonald. Judge Lyon was almost wholly without speak-

ing ability as a lawyer, but he was an able counselor and gentleman of fixed views. He is still living and in the practice of his profession. The abolishment of imprisonment for debt was a subject of discussion by this Legislature. The following resolution passed the House, but seems not to have been acted on farther, and is a tardy tribute to the man it honors:

"*Whereas*, it has been customary from time immemorial with all civil and enlightened nations to honor the memory of their illustrious and noble dead, and emblazon their deeds in marble or brass for coming posterity, it is therefore but right and proper for us as Georgians, and the dictates of patriotism and a grateful people demand that the life, memory and character of the illustrious founder of our great and growing state, should be rescued from the darkening shade of oblivion; therefore be it

Resolved, That the Governor be authorized and requested to have erected in the capitol yard a handsome, elegant and appropriate marble monument to the memory of the illustrious founder of our state, *Gen. James Oglethorpe*, who combined in his life and character the great and noble qualities of a soldier, scholar, statesman, philanthropist and christian."

CHAPTER XIII.

A HOT CHAPTER OF GATHERING REVOLUTION.

The Drive to Disunion.—Yancey's "Leaguers of the South."—Alec Stephens Retired.—Toombs' Disunion Speech.—Senator Alfred Iverson's Griffin Disunion Speech.—Alec Stephens' Union Speech of Farewell at Augusta.—The two Utterances a striking picture of Contrasts.—The Disastrous Political Effect on Iverson.—The John Brown Raid, and the Georgia Legislature's Burning Resolutions.—The State Aflame.—Two State Democratic Nominating Conventions in Georgia to send delegates to the National Democratic Presidential Convention at Charleston.—The Split of the Georgia Democracy.—Howell Cobb and Alec Stephens, Presidential Timber.—Cobb endorsed by one Convention, and not by the other, withdraws.—The Delegation to Charleston.—Personelle of the Georgia Conventions.—A Succession of Exciting Events.—Another Great Speech of Mr. Toombs.—"Pull Down the Pillars and Bring a Common Ruin."—Georgia the Dominant Factor in the Revolution at hand and Toombs its Genius.

DURING the year 1859 the great conflict between the North and South was steadily maturing. Public sentiment in regard to slavery was in an inflamed and inflaming condition. The popular pulse tingled at the very mention of the subject. The Black Republicans of the North were avowed in their purpose to crush slavery. We had in the South bold open disunionists. In Alabama an association had been established by the Hon. William L. Yancey, called the "Leaguers of the South," the motto of which was, "A Southern Republic is our only safety." Alexander H. Stephens, the most conservative leader of the South, bade farewell to public life, and thus was eliminated from the national councils the most prudent, influential and eloquent union power we possessed. Mr. Toombs long before had made a burning speech in the United States Senate that thrilled the country, in which he daringly declared that unless the aggression upon slavery and the rights of the South ceased, he was for Disunion. The Supreme Court of the United States had decided in the celebrated Dred Scott case that there was no difference between slave property and other property, and a Territory could not discriminate against slaves. Mr. Douglas had planted himself upon the famous "squatter sovereignty" doctrine, which claimed the right of Territorial legislatures to determine the question of slavery in the Territories. Mr. Douglas was bitterly abused by

a large portion of the Southern Democrats for this doctrine, while Mr. Buchanan was denounced by those who sustained Mr. Douglas.

Senator Iverson came home and made a lengthy speech in Griffin, Georgia, on the fourteenth day of July, 1859, that created intense and acrimonious discussion. It was a most aggressive Southern Rights speech. His slogan was, "Slavery, it must and shall be preserved." He denounced the Missouri Compromise which, "to save the union," had divided the national territory into "free" above and "slave" below a certain line of $36^{\circ} 30'$. He denounced the Wilmot Proviso, which was to shut out slavery from all the territory acquired from Mexico. He denounced the famous Compromise measures of 1850, which provided for the admission of all new states, with or without slavery, as their Constitutions might prescribe. He declared "all lost at the North," and the Northern Democracy "paralyzed and powerless." He denounced the Kansas bill which made Kansas a free state. He had once embraced the "squatter sovereignty" heresy, but he now repudiated it, and declared that it was the duty of Congress to protect slavery in the territories. Reading this speech of Mr. Iverson in the light of events since, it was profoundly prophetic. He declared that 1861 would witness the inauguration of a free soil President, and he boldly announced that the election of such a President he should consider a declaration of war against slavery, and be in favor of separation and the formation of a Southern Confederacy. He was in favor now of a square defiance to the abolition party, a repudiation of all compromises, and a distinct unconditional demand for the equality and protection of slave property everywhere.

This speech was widely circulated and heatedly discussed. Mr. Iverson was charged with pandering to extreme Southern prejudice to get re-elected to the senate. Mr. Stephens but a few days before made his well remembered speech in Augusta, in retiring to private life, in which he had declared that the great questions of difference between the North and South he considered honorably and finally settled, and the country was in a most prosperous condition. He declared that slavery was firm and secure; that it was getting stronger and will continue to get stronger. He declared the compromise of 1850, which opened the territories to slavery and left them free to all, was a grand triumph of constitutional equality. He did not believe that we would have much more slave country without an increase of African stock. Mr. Stephens wound up with this tribute to the Union: "With our common country I leave like good wishes and the earnest hope for undisturbed peace and

prosperity, and that our institutions unimpaired, national and state, may long continue to bless millions, yet unborn, as they have blessed us."

It would be difficult to conceive of two utterances of public view and policy so utterly and absolutely antipodal as these speeches of Mr. Stephens and Mr. Iverson. Mr. Stephens saw an era of peace, prosperity, order, the triumph of slavery and the South, and settled principles and a fixed Union. Mr. Iverson read in the public aspects, sectional strife, hopeless conflict of interest, the victory of abolitionism, continued aggressions and internecine struggles with the horror of Disunion which he demanded in preference to Mr. Stephens' settlement. It is bootless now to enter into any comparison of the conflicting views of these two distinguished and able public men. Both were right in some things, and both wrong. No fallible human intelligence, however strong, can grasp the great plans of a Divine Providence. The mighty convulsion that was to end in the utter uprootal of slavery was swiftly culminating. Under the ordinary human judgment, Mr. Stephens seemed right, and the general Georgia and Southern public sentiment concurred with him. Mr. Iverson was generally condemned, and there is little doubt that his radical disunion speech lost him his re-election as United States Senator. He was marvelously and prophetically right in many things. He did not exaggerate the truth when he said that there could be no compromise with abolitionism, and there would be no let up in its war upon slavery. He saw with amazing correctness the nature of the crusade against the slave institution, and he portrayed in wonderfully accurate words the drifting portents of the times. He diagnosed the coming storm clearer than his more generally sagacious contemporary. The earthquake was at hand, and he foretold it with a wise wit. He was wonderfully right in another thing. Compromises had but postponed the day of a square fight for slavery. The true Southern policy was to have met the issue at once, and fully to have resisted concession at the beginning. The battle had to come for its existence. It would have been wise and politic to have maintained its proud and vital equality against every assault. Concession but strengthened the enemy. But Mr. Stephens was grandly right in his essentially wise and correct judgment that the proper place to fight abolitionism and defend slavery was IN THE UNION. Every advantage was given the North in leaving it the name, the memories, the glory, the organization and sacred power of the Union. The Southern people were with Mr. Stephens then. Less wise and firm than he, they did not stay with him when the hour of passion was upon them. And

strange, most strange inconsistency, they repudiated Iverson and his policy at its very suggestion, and followed his policy when the contingency he predicted came, and disregarded the counsel of the wiser Stephens. Iverson was for disunion if a sectional free soil president was elected, and the State of Georgia condemned the man and denounced the suggestion. When the event happened, in accordance with his prediction, they followed his counsel, though they had buried politically its author. It was a comical yet a pathetic political incongruity.

But none the less did Senator Iverson's speech demonstrate the dominant possibilities of revolution alive and flaming unconsciously yet powerfully, and growing swiftly in the Southern heart, and working out mysteriously the colossal purposes of Providence. Mr. Toombs, in response to an invitation, made a speech in Augusta, September 8, 1859, which was a careful, exhaustive and masterly review of the whole subject of federal legislation upon slavery, in which he, notwithstanding the squatter-sovereignty views of Mr. Douglas, from which he differed, declared his preference for him. Mr. Toombs also took position against putting a plank in the Democratic platform demanding the protection of slavery in the Territories. While he believed in the right of Congress to do it, he was against the exercise of the power. This speech was a remarkably conservative one.

There occurred at this time an incident that stimulated sectional passion to fever heat. Old John Brown, or, as he was better known, Ossawatimie Brown, of Kansas notoriety, organized a slave insurrection at Harper's Ferry, Virginia. Both the Governor of Virginia, Henry A. Wise, and President Buchanan promptly acted in suppressing the matter. This occurrence was like the application of a lighted match to a powder magazine. It inflamed the whole country, North and South. It drove argument and reason from the public forum. The South believed that the Harper's Ferry affair was but the small part of a general abolition movement to strike down slavery. In the Georgia Legislature Mr. Hartridge offered a set of resolutions declaring the fixed determination of the people of Georgia as to their future course and conduct. Referring to the John Brown raid, they said: "Fanaticism grown bold by impunity has invoked the aid of treason, murder and rapine, has crossed the border, and, advancing upon Southern soil, has spread bloodshed and excitement throughout a Southern State." These bold words of accusation concluded with this resolve:

"The State of Georgia holds herself ready to enter into any concert of action with

the sister Southern States, which will secure their common rights under the Constitution in the Union, *or if that be no longer possible, their independence and security out of it.*"

Mr. Lewis, of Hancock, offered an amendment of bitter defiance that "We do not waive or postpone the conflict which such aggressions seek and provoke," and further, that the history of the past taught us "that it is unreasonable to expect the protection of our rights by the Federal government." Resolutions were passed thanking Governor Wise and President Buchanan for their prompt action in the matter. These official declarations of the General Assembly will afford some conception of the spirit of the people of Georgia and the crushing drift of sentiment to a dissolution of the Union and Southern independence.

The National Democratic Convention to nominate a Presidential candidate was to meet in Charleston, S. C. Already public attention in Georgia was converging to that important gathering. On the evening of the 21st of November, 1859, a large portion of the Democratic members of the Legislature met in the Representative Chamber in Milledgeville. Peter Cone presided; James J. Diamond was Secretary. - Thomas F. Jones, of Newton, offered resolutions, which were adopted, calling a State Convention for the 8th of December to appoint delegates to Charleston. On the 22d of November the State Executive Committee, composed of D. C. Campbell, E. J. McGehee, Thos. P. Saffold and S. W. Burney, called the Democratic State Convention for the second Monday in March, 1860. Col. Wm. K. De Graffenreid, of this committee, dissented from the committee and joined the Democratic members of the Legislature in their call for a convention for December, before the Legislature adjourned. Thus there was a conflict upon this matter. It seemed as if the unfortunate slavery controversy that was convulsing the country and so swiftly sweeping to a great upheaval of peace, was affecting everything with its discordant spirit of dissension. The strife in the Georgia Democracy became lively over this twin convention business. The practice had begun as far back as 1842 of the party members of the Legislature calling State Conventions to appoint delegates to the Presidential nominating conventions, and had continued unbrokenly up to this time. And these State conventions consisted chiefly of the members of the Legislature, who represented their counties in the convention. If counties were not represented or represented only in part in the Legislature by Democrats, such counties sent other delegates. The call of the members, therefore, for the convention of the 8th of December was in conformity with precedent, and its advocates

claimed that the Executive Committee could only attend to gubernatorial contests.

The convention of the 8th was held, but was not a full body, only 75 counties out of 132 being represented, while it was a large one. Isaiah T. Irwin was made president, and F. H. West and George Hillyer secretaries. The committee on business consisted of Messrs. Seward, Deloney, Smith of Talbot, Printup, Briscoe, Smythe, Oliver, Smith of Towns, Hill, Lawton, Broyles, King, Tracy, Cone, Rice, Fulton, Jones, Ragsdale, Hutchins and Morris. The resolutions of the convention recommended Howell Cobb for the Presidency, endorsed Buchanan for his course in the Harper's Ferry affair, and

"Pledged support of the nominee of the Charleston convention upon the condition that it determines to maintain the equality of the states and the rights of the South—that we will yield nothing of those rights *for the sake of harmony*, but will demand a firm, strict and *unqualified* adherence to the doctrines and principles on the subject of slavery, and the rights of the South in the common territories of the Union, which have been recently declared by the Supreme Court of the United States."

The following delegates were elected to the national convention: From the state at large: Isaiah T. Irwin, John H. Lumpkin, H. L. Benning, Henry R. Jackson; alternates, Charles J. McDonald, Thomas Butler King, William H. Stiles, O. A. Lochrane.

The district delegates were: James L. Seward, Julian Hartridge, Arthur Hood, J. W. Evans, L. B. Smith, E. Strohecker, James J. Diamond, L. H. Featherston, G. J. Fain, W. T. Wofford, William H. Hull, S. J. Smith, J. M. Lamar, L. H. Briscoe, D. C. Barrow, L. A. Nelms.

Fifty-two Democratic members of the legislature published their disapproval of the action of the convention in appointing delegates to the Charleston convention and protested against the authority of what they contemptuously called the "meeting" to bind the Democratic party. Among these were William A. Harris, A. S. Atkinson, A. B. Mathews, C. J. Williams, R. N. Ely, and James S. Reed. The two members of the executive committee in Milledgeville, Col. Campbell and Dr. McGeehee, issued a temperate card stating their reasons for calling the March convention and leaving the matter to the party to ratify or disapprove. Judge Benning, Gov. McDonald, Col. Featherston and Col. Lochrane of the delegates selected, declined to recognize the validity of their appointment and refused to serve. The papers rushed into a hot controversy over the matter. A good deal of temper was shown, and considerable recrimination indulged in. Mr. Howell Cobb was charged with inspiring the late convention and molding its action in the interest

of his presidential ambition. The name of Alexander H. Stephens was sprung by his friends for the Presidency, and a decided antagonism was created between the adherents of these distinguished Georgians in connection with the glittering prize of the national chief magistracy.

Hon. William H. Stiles, one of the alternate delegates chosen, wrote a letter to the *Savannah Express* maintaining that the March convention was the only regular and legitimate one, but suggesting a compromise for harmony. His plan was for the delegates chosen to resign and the March convention to re-appoint them, and show the spectacle of a united Democracy and a united South. Hon. Howell Cobb wrote a most patriotic and characteristic letter, in which he used this conciliatory language:

"I can but repeat that my name shall not divide and distract the party. If there are a sufficient number in the Democratic party of Georgia opposed to my nomination, to justify the idea of serious divisions in the party, then I will unconditionally withdraw my name. This is no time for divisions in the south, and especially with southern Democrats, and any personal sacrifice, which I may be called upon to make, to ensure union and harmony, shall be cheerfully made."

And he gave this positive assurance:

"So far as I am personally concerned, a demonstration of serious opposition to my nomination from the democracy of Georgia, in any shape or form, or from any convention, would end all connection of my name with the nomination at Charleston."

The position of Mr. Cobb was a peculiar one. He had, as secretary of the treasury under President Buchanan, made a national reputation for ability and statesmanship. The objection to him in Georgia was formulated in the following words of the *Columbus Times*: "Mr. Cobb is far from being the choice of the Georgia democracy for the presidency, as *his extreme Union views are in antagonism with the prevailing sentiment in the Democratic ranks.*" And this criticism shows the tendency of public opinion to the final dissolution, and that conservative views were becoming powerless in the seething agitation.

Mr. Cobb's friends were advised by him to unite in sending delegates to the March convention, in order that the will of the party might be tested. At the various county meetings the matter was fully discussed, and the opinion was conflicting and varied. In many counties the delegates of the December convention were reappointed. A large number of counties endorsed Mr. Cobb for the presidency. A number expressly repudiated the action of the December convention. It was a warm issue and it stirred the State violently.

The March Democratic Convention assembled on the 14th, 1860, in Milledgeville. Ninety counties of the 132 in the State were represented by

203 delegates. Among these were L. H. Briscoe, L. N. Whittle, O. A. Lochrane, P. Tracy, A. R. Lawton, Julian Hartridge, A. S. Atkinson, L. N. Trammell, D. S. Printup, Solomon Cohen, Geo. A. Gordon, Jno. M. Guerard, Gen. G. P. Harrison, W. Phillips, R. N. Ely, J. W. Duncan, C. W. Styles, J. M. Mobley, J. G. Cain, Samuel Hall, T. P. Saffold, Porter Ingram, John A. Jones, P. H. Colquitt, L. J. Alred, Henry Cleveland, Claiborne Sneed, J. D. Ashton, J. L. Seward, D. N. Speer, C. J. Wellborn, George Hillyer, E. P. Howell and E. R. Harden. Of these Henry Cleveland was the editor of the *Augusta Constitutionalist*, a bright writer, and who since the war has written a life of Alexander H. Stephens. Claiborne Sneed is now judge of the Augusta circuit, and has been a state representative, a gentleman of talent and force. E. P. Howell is now the editor of the *Atlanta Constitution*. He was state senator for two terms, and has evinced an extraordinary aptitude for public life, and is a gentleman of great shrewdness and practicality, and is destined to wield a strong public influence. D. N. Speer is the present State treasurer.

Hon. Alexander R. Lawton was made president of the convention. The proceedings continued for two days, were stormy and inharmonious, and finally adjourned, leaving the party in the State angry, rent, and at sea. Of the ninety counties forty-seven repudiated the December convention and forty-three sustained it. Of the forty-two counties not represented in the convention, twenty-four were represented in the December convention. There were eighteen counties not represented in either convention. The forty-three counties in the March convention that supported the action of the December convention, added to the twenty-four counties represented in the December convention that were not represented in the March Convention, made sixty-seven counties, or two over half of the counties in the State that favored the December action. These figures will show how the party was split. The resolutions of the December convention were voted down, thus throwing over Mr. Cobb and leaving the party without any enunciation of principle. The same delegates at large were appointed, but the alternates were different save ex-Gov. McDonald alone; Hiram Warner, Solomon Cohen and J. A. Wingfield being the three others in place of King, Stiles and Lochrane. Four delegates from each district were chosen by the delegates of the respective districts. These were:

1st. J. L. Seward, J. Hartridge, H. M. Moore, Wm. B. Gaulden.

2nd. W. Johnson, John A. Jones, Wm. M. Slaughter, Jas. M. Clark.

3rd. E. L. Strohecker, L. B. Smith, O. C. Gibson, E. J. McGeehee.



Very Respectfully
Yours
Howell Cobb

- 4th. J. J. Diamond, L. H. Featherston, W. Phillips, S. C. Candler.
- 5th. G: J. Fain, W. T. Wofford, James Hoge, Lawson Fields.
- 6th. Wm. H. Hull, S. J. Smith, H. P. Thomas, A. Franklin Hill.
- 7th. L. H. Briscoe, Jefferson Lamar, J. W. Burney, James Thoming.
- 8th. L. A. Nelms, D. C. Barrow, J. D. Ashton, H. R. Casey.

Alternates from the districts were also appointed. The district delegates of the December convention were all re-appointed save Arthur Hood and J. W. Evans. The alternates were nearly all different. An important resolution offered by Julian Hartridge, and unanimously adopted, provided for the appointment of an Executive Committee by the President of the convention with power to call all conventions of the Democratic party of Georgia, and to exercise all the other powers belonging to such committee until another convention meets. This established the practice that has been uninterruptedly followed since of the appointment of an Executive Committee empowered fully to represent the party until another convention and the creation of a new committee. And Mr. Hartridge's resolution was intended to remedy the disastrous party difficulty, whose effects were being experienced in the existing widespread dissension. The committee appointed consisted of Porter Ingram, A. S. Atkinson, P. Tracy, C. Murphy, D. S. Printup, S. J. Smith, L. H. Briscoe, and Henry Cleveland.

The action of the convention in refusing to adopt the action of the December body urging Mr. Cobb for the Presidency, and failing to make a declaration of sentiment and policy, was a most unfortunate matter, and left a deep breach in the party. Mr. Cobb, in accordance with his published declarations previously made, addressed a letter to the President of the December convention, Mr. Irwin, unconditionally withdrawing his name from the canvass for the presidency. His letter was a very graceful and appropriate one, in admirable temper and full of patriotic feeling. While he claimed for the convention that endorsed him absolute party legality, yet he waived all question of regularity. He only regarded the party will. He frankly owned that while a majority of the state Democracy supported him, there was a decided opposition to him. The connection of his name with the nomination was calculated to produce discord where there should be harmony, and he therefore withdrew it. The letter was a model of its kind, and its noble spirit and lofty utterances, so free from the slightest tinge of irritation or disappointment, placed him higher than ever in popular esteem. He wound up with a reference to the approaching contest, in which a fanatical enemy was striving to seize the Federal government

to bring dishonor upon the South. To overthrow this enemy, and save the government and the South from dishonor and ruin, which would follow the successful inauguration of a Black Republican administration, was our duty. Union and harmony were necessary to do this, and to them he should contribute all he could with the confident hope of being fully and cordially sustained by the people of Georgia.

At this time the tendency to peace between the sections was not at all helped by a brilliant, daring and masterly speech of Robert Toombs in the United States Senate, on a resolution offered by Stephen A. Douglas directing the judiciary committee to report a bill for the protection of each State and Territory against invasion by the authorities of every other state and territory. Mr. Toombs made a terrible arraignment of the Black Republican party. He said that the country was virtually in civil war; that a large body of the Senators before him were enemies of his country, and were using their official power to assail and destroy the institutions of the states. We demand peace or war. Reviewing the action of the Republican party in regard to slavery, he asserted that the Republican hands were soiled with the blood of our constitutional compact. They mocked at constitutional obligations and jeered at oaths. They had lost their shame with their virtue. The speech was a scorching, splendid piece of invective, but it was more, it was a profound, exhaustive and unanswerable argument, welded like an iron bar. Gathering vehemence as he concluded, this audacious Mirabeau thundered these unforgivable words at his colleagues of the opposite party representing millions of Northern people.

"I denounce the Republican party as enemies of the Constitution and enemies of my country, and I shall treat them as such. I submit it to the judgment of the Senate, the country and the civilized world, if according to the public law of all civilized nations, we have not just cause of war against our confederates."

The impassioned orator then declared that with the success of the "traitorous" Republican party "peace and safety are incompatible in the Union," and concluded with these burning words:

"Listen to no 'vain babblings,' to no treacherous jargon about 'overt acts;' they have already been committed. Defend yourselves, the enemy is at your door; wait not to meet him at the hearth stone—meet him at the door-sill—and drive him from the temple of liberty, or pull down its pillars and involve him in a common ruin."

The effect of these fiery and war-like utterances was simply indescribable. They rendered peace impossible. They frenzied the Republicans, they enthused our own hot-heads beyond restraint. They drove on the revolution by a million-spirit power. Coming from a Senator,

spoken in the great and august forum of the national Senate Chamber representing the solemn sentiment and grand majesty of a sovereign state, they were tremendous expressions. They made a peaceful solution of the impending strife an impossibility. They made the State of Georgia the dominant factor of the strife, and the foremost and controlling agency of the Revolution. It bootied little that such conservative and Union instruments as Stephens and Johnson were stemming the deadly drift. The spirit of discord was regnant. It had sundered the Georgia Democracy, and in that unhappy division had shorn the rising Cobb of his power and promise. It was not an undramatic coincidence that while Georgia was foremost in her influence in the national councils through her imperious Toombs, and was potentially stimulating the threatening disunion, she had two prominent candidates for the Presidency of the Union, the most prominent of whom she herself slaughtered. But a higher power was ruling the destinies of nations. The great revolution was at hand, and our Georgia Toombs was its genius.

CHAPTER XIV.

THE FATAL SPLIT OF THE NATIONAL AND GEORGIA DEMOCRACY, IN 1860.

The Charleston Convention.—The Georgia Delegation Sundered.—A Majority led by H. L. Benning, secede.—A Minority Remain.—Solomon Cohen.—William B. Gaulden the "Lion of Liberty."—Georgia Democracy Riven like the Delegates.—A vivid Batch of Letters on the Split from Hiram Warner, Howell Cobb, Joseph E. Brown, A. H. Stephens, Peter E. Love, Robert Toombs, H. V. Johnson and E. A. Nisbet.—Brown's cool Practical View.—The strange Reversals of Howell Cobb, and H. V. Johnson.—The Constitutional Union Convention.—Its personelle.—The Democratic Convention.—Its Personelle.—A Volcanic Session and a Burst up.—A National State Democratic State Convention organized.—Two sets of Delegates to Baltimore.—Discord Rife.—The Disunion Drift Irresistible.—The Baltimore Convention.—Georgia Refused to go in.—Douglas and H. V. Johnson Nominated.—The National State Right's Convention organized.—Breckenridge and Lane Nominated.—The Deadly Work Done.—The Democracy in Fragments and the Revolution Sure.

STARTLING events sped swiftly in Georgia, as in the Union, in this crucial year of 1860. The Charleston Convention met on the 23d of April and continued in turbulent session until the 2nd day of May, when it adjourned without making a nomination, to reassemble in Baltimore on the 18th of June. Some 57 ballots were taken, Mr. Douglas leading with 152½ out of 319, but unable to get more. The platform was hotly contested. Three reports were made by the committee on platform. One was the majority report made by the members of fifteen Southern states and the two states of Oregon and California, being seventeen of the thirty-three members of the committee. This report presented the Cincinnati platform with some additional resolutions declaring the equal right of slave property in the territories and the duty of Congress to protect it. The Cincinnati platform declared for non-interference by Congress with slavery in the territories. The majority report went beyond the Cincinnati platform in declaring it the duty of Congress to protect slave property in the territories. Two minority reports were presented, one offering the Cincinnati platform with some resolutions simply condemning interference with the fugitive slave law, but leaving out the protection of slave property in the territories. The last minority report was adopted, which was the squatter sovereignty programme

of Mr. Douglas. On the defeat of the majority report and the adoption of the minority report, the delegates of Alabama, Mississippi, Florida, Louisiana, Arkansas, Texas and a part of those from Delaware, seceded from the convention under lead of William L. Yancey of Alabama. The Georgia delegation obtained leave to retire, to consult as to their course, and split into fragments. A majority, consisting of Junius Wingfield, Henry L. Benning, Henry R. Jackson, J. M. Clark, William M. Slaughter, John A. Jones, D. C. Barrow, J. J. Diamond, A. Franklin Hill, E. L. Strohecker, O. C. Gibson, H. P. Thomas, P. Tracy, J. M. Lamar, E. J. McGeehee, George Hillyer, Mark Johnson, E. R. Harden, J. H. Lumpkin, J. G. Fain, James Hoge and W. J. Johnson, withdrew from the convention as a duty, as they declared. I. T. Irwin, W. H. Hull, L. H. Briscoe and Julian Hartridge withdrew in obedience to the vote of the majority. The balance of the delegation remained to share in the proceedings, consisting of Solomon Cohen, Hiram Warner, J. W. Burney, William B. Gaulden, James L. Seward, James Thomas, S. C. Candler, J. A. Render, L. A. Nehms, and Henry Cleveland.

Mr. Solomon Cohen made a speech explaining his position. Mr. Cohen was a leading citizen of Savannah, who was at one time Postmaster, a gentleman of high social standing and considerable speaking ability. He and his colleagues, while in sympathy with the seceders in principle, remained behind hoping that a better spirit might prevail and justice be done to the South by the Northern Democrats. Mr. Montgomery of Pennsylvania, replied that he was willing for the Southern members to retire, if they wished, and that the majority of the convention had made up their minds and would not change. Upon this Col. Wm. B. Gaulden, who enjoyed the soubriquet of the "Roaring Lion of Liberty County," arose and made a speech that convulsed the convention with laughter. He denounced protection to slavery as a humbug, and said he intended to stand by his Northern brethren until the last day, late in the evening. He then branched into an unqualified support of the African slave trade. But the fragment of the delegation were not permitted to vote, on the ground that the state delegation was instructed to vote as a unit. Mr. Seward had previously attempted to cast his individual vote, and the resolution of the Georgia Convention upon the matter had been discussed, and the unit rule had been declared to apply to the Georgia delegation. Mr. Cohen vainly protested against the disfranchisement and denounced it as a usurpation.

The seceding members of the Charleston Convention, including most of the majority part of the Georgia delegation, formed a separate con-

vention, and called a Convention for the 2nd Monday in June, in Richmond.

The course of the Georgia delegation created a profound feeling at home. The minority of the delegation issued a brief card explaining their course, and stating that they did not feel at liberty to bolt the convention and disrupt the party. The majority published a more lengthy address, signed by Henry L. Benning, the chairman of the delegation, elaborately arguing the whole question. They wound up this very able paper with the statement that some of the Northern delegates had shown a disposition to modify the platform, and there was some hope of this. They advised that a State Convention be called, and that such convention appoint delegates to both the Richmond and Baltimore conventions. The Executive Committee of the party issued a call for a state convention to assemble in Milledgeville, the 4th day of June. A number of gentlemen of Macon, Robert Collins, John J. Gresham, James W. Armstrong and others, addressed a letter to the leading public men of the State, expressing alarm at the rupture of the Charleston Convention and asking their views of the situation. Replies were received from Hiram Warner, Howell Cobb, Joseph E. Brown, A. H. Stephens, Peter E. Love, Robert Toombs, H. V. Johnson and Eugenius A. Nesbit.

Judge Warner had been one of the staying delegates in the Charleston convention. His letter was an incisive one. Believing the democratic organization of the Union to afford the best guarantee for the preservation of our rights, he resisted Mr. Yancey's bold attempt to destroy it. Believing also in the doctrine of congressional non-intervention, and having thought the Cincinnati platform a good one in 1856, he deemed it a good one in 1860, and declared the bolt from the Charleston convention to have been based upon a *flimsy pretext*. Howell Cobb fully endorsed the action of the seceding delegates, and said that the democracy of the state should sustain them. Every state whose delegates were for the majority platform was a democratic state, and the other sixteen states were republican. The nomination of Mr. Douglas he condemned. He suggested a state convention that should reappoint the same delegates to go to both Baltimore and Richmond, and advised a postponement of the Richmond convention until after attempt was exhausted at Baltimore to unite the party. The letter of Mr. Stephens was such an one as might be expected from him, calm, dispassionate, firm, statesmanlike. He argued that non-intervention had been the established policy of the party. He had not favored it originally, but had

acquiesced in it, and now thought we should abide it. A convention should be called and delegates sent to Baltimore. The demand of the seceders should be withdrawn and nomination of a good man made. If we were determined to quarrel with the North on general account, base it on the aggressive acts of our enemies and not the supposed shortcomings of our friends. He repeated his previously expressed views of the impregnability of the slave institution. Mr. Toombs wrote a characteristic letter, short, pithy, snapping like a pistol shot, with considerable moderation ostensibly, but holding the sword in a gloved hand. The seceding delegates should meet at Baltimore with the adjourned convention and endeavor to affect an adjustment. If this adjustment could not be made the Richmond convention could be held with clearer light for its guidance. If such a policy as he urged met with any considerable opposition in Georgia, let a party convention be called to take action. The reserve hostility of this sententious letter was seen, however, in the significant acknowledgment that he was purposely yielding nothing, with the ultimate idea of demanding everything, and the unqualified declaration that, he never could give his assent that there was any rightful power anywhere to exclude slave property from the territorial domain. He wound up with the suggestive and pregnant sentences:

*"Our greatest danger, to-day, is that the Union will survive the Constitution. * * ** Look at the preservation of your rights. The Union has more friends than you have, and will last as long, at least, as its continuance will be compatible with your safety."

Mr. Love would not have advised secession, but did not condemn the seceders. The seceders should go back to Baltimore and try to harmonize. Ex-Gov. Johnson's letter was a long and able one, a model of rhetoric and argument. He took the same view that Mr. Stephens did. Non-intervention was the accepted policy of the party. A demand for intervention was unnecessary, while intervention was valueless and of questionable right, and doubtful policy. He had opposed the compromise of 1850, but he was now for sticking to it. It was a matter of honor to stand to the compact. He advised calling a convention to determine our policy, and send delegates to Baltimore. Let us save the national democracy to destroy Seward and his myrmidons. Judge E. A. Nesbit wrote a most positive, out-spoken letter and a strong one. He condemned the action of the seceders, and repudiated the Richmond convention. He asserted that some of the bolters of the other states had purposely seceded to split the party and disrupt the Union. He was against intervention as inconsistent, in bad faith, dishonorable, crip-

pling to the northern democracy, unsound in constitutional principle, carrying the dangerous right to strike down slavery, and unavailing. He urged a convention and sending delegates to Baltimore, regardless of the Charleston action, to harmonize the party.

The letter of Joseph E. Brown was just such a cool, clear, practical common-sense, conclusive view of the perplexing subject as might have been expected from the man. It embodied a simple solution of the problem in his plain business way. Ascribing the discord to the personal ambition and animosity of leaders, and claiming that the masses of the Democracy were true to the constitution, both North and South, he proceeded to discuss the situation. Making no reflection upon the Georgia delegates who seceded or those that remained in the convention, he ascribed good motives to both, and believed that the difference properly used could be turned to benefit. As an abstract question, he believed in the right to protection of slave property in the Territories. The wisdom and utility of making an issue on it was another question, and it would seem to be wise to wait until an occasion rises, which might never happen, before making such an issue. The Democratic doctrine heretofore had been *non-intervention* by Congress. The trouble now was over an attempt to put a new plank in the platform of the party. Men might honestly differ on the expediency of such an innovation. It had been said that the Democratic construction, North and South, was different on the Cincinnati platform. The answer to this was that the Supreme Court in the Dred Scott case had decided the principle, and the Northern wing of the party was willing to recognize the decision of the Supreme Court as the correct exposition. This should be a satisfactory settlement of the issue. He urged a State Convention of men of age and experience, to discuss and decide the matter without passion or crimination. Let delegates be sent to Baltimore and accept the Cincinnati platform with the additional resolution that the Northern Democracy was willing to offer, recognizing the binding force and correct exposition of the Supreme Court decision, or something similar, and the trouble would be healed. The Democratic party alone presented any hope for the South in the contest with the Black Republican party, and we should cling to it. It will be time enough for the Richmond Convention when harmony at Baltimore on the ground indicated fails.

These were a masterly vivid group of letters, and strangely variant. There were some curious changes indicated by them, the most notable being that Howell Cobb and Herschell V. Johnson, who had been in

1850 so opposed, Cobb being the Union representative and Johnson the pronounced Southern Rights champion, had completely reversed positions. Cobb was the Southern Rights advocate, and squarely defending the seceders from the Charleston Convention; while Johnson condemned them and stood the Conservative exponent. Douglas and Buchanan were very hostile, and Cobb, as a member of Buchanan's Cabinet, naturally antagonized Douglas and his platform. It was at the time charged that the Presidential aspirations of both Cobb and Johnson somewhat controlled them in that exciting crisis.

The conflict of opinion among the leaders was the outcome of the popular agitation. The State was convulsed over this great political issue. In many localities there was a fiery feeling. A duel occurred between Dr. Holmes and Mr. Nelms about the burning of the staying delegates in effigy, in which Mr. Nelms was wounded.

The opposition had been for some time showing activity. The party was disorganized, but still vital. The *Chronicle and Sentinel* made a suggestion that met with favor and was soon adopted, of rebaptizing the party under the name of the "CONSTITUTIONAL UNION PARTY." A Convention was called and held in Milledgeville on the 2d of May, 1860. Gen. John W. A. Sanford was made President, and John Milledge and Dr. R. A. T. Ridley, Vice-Presidents; C. R. Hanleiter, L. F. W. Andrews and C. H. C. Willingham were Secretaries. Forty-four counties only were represented by 111 delegates. Among the leading members were A. H. Kenan, R. M. Orme, Clifford Anderson, M. W. Lewis, R. L. McWhorter, D. W. Lewis, R. P. Trippe, C. H. Hopkins, G. E. Thomas, P. Reynolds, John Milledge, Ranse Wright, C. A. Evans and B. H. Bigham.

The resolutions adopted pledged the party to co-operate with all men who believed in the duty of the government to protect slave property in the territories, and that any legislation to defeat the fugitive slave law was unconstitutional. An Executive Committee was made of J. W. A. Sanford, C. H. Hopkins, H. Holt, L. F. W. Andrews, R. A. T. Ridley, Dr. H. V. M. Miller, Dr. S. H. Freeman, D. W. Lewis and John Miller. Delegates were appointed to a National Constitutional Union Convention at Baltimore, of whom those for the state at large were Dr. R. A. T. Ridley, Joshua Hill, A. R. Wright and J. C. S. Lee. The Chairman in his speech of thanks declared that the Democratic party that had controlled the country so long with a blundering policy was discordant, and could not even be held together by the cohesive power of public plunder. Good men must now rally to save the country. The resolu-

tions of this convention were ignored by the Constitutional Union Convention of Baltimore, which nominated the Hon. John Bell of Tennessee, and Edward Everett of Massachusetts, as its Presidential ticket. The Republican party had also nominated at Chicago Abe Lincoln of Illinois for President, and Hannibal Hamlin of Maine for Vice-President, upon a platform that declared the territories free, and denied the right of Congress or any other power to give legal existence to slavery in any territory. The issue thus made was clear and distinct. It was more,—it was defiant and aggressive.

The Democratic Convention of June the 4th, 1860, was looked to with profound interest. One hundred and twelve counties were represented by three hundred and forty delegates. It was a large body and in point of ability a strong one. Among the delegates were L. H. Briscoe, P. Tracy, J. Hartridge, W. H. Stiles, H. R. Jackson, S. Cohen, Howell Cobb, N. Tift, J. H. Lumpkin, B. C. Yancey, T. C. Howard, Thos. Butler King, W. H. Dabney, W. E. Simmons, Herschell V. Johnson, Saml. Hall, Hiram Warner, T. P. Saffold, A. H. Chappell, J. Wingfield, T. L. Guerry, A. Hood, Jas. Gardner, Julian Cumming, W. W. Montgomery, W. A. Hawkins, T. M. Furlow, H. K. McCoy, J. C. Maund, J. L. Seward, George Hillyer, C. W. Styles, J. S. Hook, R. L. Warthen, B. D. Evans, J. C. Nichols, I. T. Irwin.

The President was T. L. Guerry. The chairman of the Business Committee was Wm. H. Stiles. On this committee were both Howell Cobb and Herschell V. Johnson. A majority and minority report were both made, the latter signed by H. V. Johnson, Thos. P. Saffold, H. K. McCoy, and A. Colvard. The majority report took imperative ground for the protection of slavery in the territories, endorsed the seceders from the Charleston Convention and reappointed the entire delegation to the Charleston Convention, to represent the State in the Baltimore Convention, and if the slavery programme was not adopted there to go into the Richmond Convention. The minority report reaffirmed the Cincinnati platform with an additional resolution declaring that slave property was entitled to the same legal recognition in the territories as any other property, and the right could not be impaired by Congress or a territorial government. The minority report further provided for a new delegation to Baltimore.

The session of the convention continued two days. The discussion upon the reports was intense and elaborate. T. P. Saffold, Howell Cobb, J. L. Seward, Dr. J. Branham, B. C. Yancey, James Gardner, H. V. Johnson and Henry R. Jackson all spoke. Several of the speeches

were very able. Ex-Gov. Johnson began his speech before the noon adjournment of the second day, and concluded it after dinner. His speech was powerfully begun and a master-piece of argument and eloquence. Even his opponents acknowledged its magnificent power. But what slight causes can affect human effort. Wearied at the close of the morning session, and unable from the strain upon him to eat any dinner, he took a glass of wine upon an empty stomach to strengthen himself, and it sickened him, rendering the continuation of his speech so difficult that its diminution of vigor was marked. Jackson and Cobb both made strong efforts for the majority report. The Convention was nearly one-sided. The majority report was adopted by a vote of 298½ yeas to 41½ nays.

The minority of the Convention then entered a protest against the majority report thus adopted on the grounds that it asserted propositions that were in violation of the established Democratic doctrine of non-intervention, and that would disrupt the National Convention; that it by implication condemned the delegates who did not secede at Charleston; and that its appointment of delegates to Richmond detached this Convention practically from the National Democracy. Among others this protest was signed by James Gardner, George W. Lamar, T. P. Saffold, J. L. Seward, Hiram Warner and Jas. S. Hook.

The minority of the convention, also, immediately organized what they called "A National Democratic State Convention," of which Hiram Warner was made president. Twenty-four counties with 63 delegates were represented. In addition to the delegates above mentioned as protesting against the majority report there were H. V. Johnson, Jas. A. Nisbet, Jas. T. Nisbet, A. E. Cochrane, J. W. Duncan, A. H. Chappell, Julian Cumming, W. W. Montgomery and others. A full set of delegates were appointed to the Baltimore convention, and the minority report was unanimously adopted. The delegates selected were:

State at large.—H. V. Johnson, James Gardner, Absalom H. Chappell and Hiram Warner.

District Delegates.—1st, J. L. Seward, Wm. B. Gaulden; 2d, R. Whitely, B. Y. Martin; 3d, N. Bass, S. W. Burney; 4th, J. P. Hambleton, S. C. Candler; 5th, A. R. Wright, H. P. Farrow; 6th, R. McMillan, J. P. Simmons; 7th, T. P. Saffold, J. Thomas; 8th, L. A. Nelms, A. C. Walker.

A committee of three, consisting of H. V. Johnson, Jas. A. Nisbet and Nathan Bass, was appointed to issue an address to the people of Georgia, explaining their action. The address evidently emanated from

the brain of Gov. Johnson. It was a compact, vigorous, polished paper, blending force and finish. The minority report, it said, was admitted by the majority to be sound in principle, and only differed from the majority in not demanding the undemocratic doctrine of intervention. It also refused to recognize the sectional convention at Richmond. The majority report denationalized the Georgia democracy and made it a probable conclusion that the State would not be received in the national convention. The minority had appointed delegates upon a sound unobjectionable platform, and if the majority delegates were rejected the minority delegates would attempt to prevent Georgia from being unrepresented. The address made no censures upon any one, but candidly declared that it believed, that the urging of the doctrine of intervention was unwise, and fraught with danger to the national democracy and to the best interests of the South.

It will be seen how every step of events in Georgia during this year was marked by unhealed and growing divisions. The spirit of discord was rife, and the drift to disunion was steady and irresistible. Men either could not or would not harmonize, though harmony was so easy. Looking at the differences at this long distance, out of the fever of those days, one wonders, with the terrific contingency of a disruption of the party and its certain and immeasurable results of evil, that as sensible men as there were in control of matters, did not fix a settlement of the party divisions. There can be but one explanation. There were enough disunionists to drive party disintegration as the sure agency of national dissolution. The abolitionists of the north were equally resolved to extirpate slavery, and furnished the needed stimulus of a biting and incessant provocation. Conservative men were powerless, and a moderate policy impossible in the heated temper of the era.

The Richmond convention met and adjourned until the 21st of June, 1860. The Baltimore convention assembled. Both Georgia delegations applied for admission. The committee of credentials finally made majority and minority reports. The majority report favored the admission of both delegations with a division of Georgia's vote, and the admission of contesting delegations in place of seceders from the other Southern states. The minority report favored the admission of all the seceding delegations. The convention admitted the seceding Georgia delegation headed by H. L. Benning, and rejected the national democratic delegation headed by James Gardner. The seceding delegations from the other states were rejected and new ones admitted. Delegations from Alabama and Louisiana were not admitted at all. Upon this

action the Georgia delegation refused to go in, and the majority of the delegations from Virginia, North Carolina, Tennessee, California and Oregon withdrew from the convention, and Delaware declined to take any part for the present. Missouri alone was entirely represented from the south, and a few delegates remained from Virginia, North Carolina and Tennessee. The party rupture was complete. There was no hope of reconciliation. The disintegration proceeded. Kentucky withdrew. The majority of the Massachusetts delegation went out. Hon. Caleb Cushing, the president of the convention, resigned, because his state of Massachusetts was thus unrepresented. One hundred and ninety delegates were left, a new chairman was chosen, and Stephen A. Douglas nominated for President, and Gov. Fitzpatrick of Alabama for Vice President. Fitzpatrick wisely declined. In Washington on the 25th, the Douglas delegates selected Herschell V. Johnson of Georgia in his place, who accepted.

The seceders immediately organized a National State Rights Convention. Hon. Caleb Cushing was made president. Two hundred and ten delegates, representing twenty-one states, and 284 votes, constituted the convention. The states were Vermont, Massachusetts, New York, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Mississippi, Texas, Arkansas, Missouri, Tennessee, Kentucky, California and Oregon. The majority report of the Charleston convention was adopted, and John C. Breckenridge of Kentucky was nominated for President, and Joseph Lane of Oregon for Vice-President.

The fatal work was done. The democratic party in the very height of its power was stricken down by its own hand. The only constitution-loving political organization in the country that had the popular confidence deliberately enacted its own disintegration, and turned the government over to a sectional party. The result was a foregone conclusion. Split into warring fragments, the otherwise irresistible strength of the democracy was wasted, and a minority party, the Black Republican, regardless of constitutions, but battling against slavery on grounds of humanity, had an easy victory. In the light of common sense the democratic division was a mad piece of policy, useless and destructive. In the illumination of a Providential purpose, it was the means to a great end, to be worked out through a travail, which, if it could have been foreseen, would have frightened back the consummation. The democratic rupture at Baltimore was the practical inception of the revolution.

CHAPTER XV.

THE MOMENTOUS CLOSE OF THE LAST YEAR OF PEACE. 1860.

A. Matchless State Prosperity.—Brown's Growth in Public Esteem.—The Gallagher Rifle.—D. A. Walker.—H. V. Johnson's Up-hill Campaign.—Electoral Tickets for Breckenridge.—Douglas and Bell.—The State convulsed.—Francis S. Bartow and his flaming Speech.—An Era of Delirium.—An Epoch of Eloquence.—Georgia's Galaxy of Orators.—Varney Gaskill's Expulsion.—No Popular Election in Georgia.—The Legislature.—Gov. Brown's Message.—A Bold Paper.—Preparation for War Urged.—Retaliatory Legislation recommended.—A Convention advised.—The Legislature elected the Breckenridge Ticket.—The Secession Convention called.—Ten Thousand Troops authorized.—Money Alarmed.—Business Shocked.—Brown's Bitter Battle with the Legislature over the Bank Question.—Gov. Brown opposed Suspension.—Bill Passed.—Veto.—Bill Passed over Veto.—House Attacked Governor.—Unquailing Message in Reply.—Resolutions of Censure by House.—A Universal Fighting Time.—Brown an Unyielding Foe.—He Denounced the Censure and Scathed the House.—The Electoral Ticket call for Gov. Brown's Views on the Crisis.—A Strong Reply.

AMID all this trouble in Georgia over Federal politics, the state continued to progress in prosperity under the matchless administration of Gov. Brown. He took no active part in national matters, but devoted himself with his accustomed zeal and vigilance, to the details of state government. He steadily grew in popular esteem, and daily widened his reputation and influence. He continued to deal with state questions, promptly and masterfully. The state road was made to pay increasing monthly installments into the state treasury. The pardon power was rarely exercised. The surplus in the treasury, placed there by his superb management, was devoted to taking up bonds not due, and thus diminishing the public debt and taxation.

While he was not an active participant in the political tumult of the day, he was a close observer of events, and had a keen, practical eye to the future and held in consideration the needs of the state. He foresaw the coming conflict, and was for preparing for it. Some Savannah gentlemen, Dr. M. J. Gallagher and W. H. Gladding, had invented a rifle. Gov. Brown had it tested with a view to its manufacture and distribution in the state. Mr. Eli McConnell and John Jones made a competitive trial with it, upon twelve inch planks an inch apart. This rifle beat



Engraving by J. Johnson from a daguer type

Herschel V. Johnson



both the Sharpe and Minie weapons. Gov. Brown wrote as follows about it to Dr. Gallagher and Mr. J. D. Delannoy.

"Recent events have, I think, satisfied the southern people that it is wise for them to arm. I have but little confidence in high-sounding speeches and resolutions. We must meet aggression in future by energetic preparation and prompt action. The legislature which places your "Georgia Rifle" or some other first rate arm in the hand of every person in the state, qualified to do military duty, will have done more to protect the South against aggression than has been done by all the resolutions of its predecessors. The argument is already 'exhausted.' Let us have no more *compromises*, and if the full measure of our rights is denied in future, let us stand by our arms."

The resignation of L. W. Crook as judge of the Cherokee Circuit was the occasion of Gov. Brown appointing in his place a gentleman who afterwards became quite a marked person. Judge Dawson A. Walker was a Tennessean by birth. A self-made man and very plain in manners and habits, he was a lawyer of uncommon ability and energy, and a citizen of integrity and pure character. He became a Judge of the Supreme Court, defeating Henry L. Benning before the legislature for that office by the aid of William Dougherty. He was the Republican candidate for Governor against Gov. Smith. He has recently died enjoying general esteem.

The nomination of Breckenridge and Lane was generally endorsed in Georgia. The only leaders who supported Douglas and Johnson were Alex. H. Stephens, Ranse Wright, Eugenius A. Nesbit, Hiram Warner, B. Y. Martin, J. L. Seward and Absalom H. Chappell. There were a few in favor of Bell and Everett, but the mass of the public men, including both the Democrats and the Opposition, were for Breckenridge and Lane. But three papers advocated Douglas and Johnson, the *Augusta Constitutionalist*, *Rome Southerner* and *Atlanta Confederacy*. Gov. Joseph E. Brown gave the Breckenridge ticket a hearty support. While deeply regretting the division of the Democratic party, and thinking that no sufficient cause existed for a split, as the division was made, he stood as he had always stood, with the South. Gov. Johnson, who had been so widely popular, experienced the vicissitudes of political favor. In Macon he was hung in effigy, but the act was severely condemned by the Breckenridge press. He spoke a number of times. In Savannah he was hissed, and defiantly declared that he repeated his views in spite of the hisses of "serpents and geese," meeting the indignity differently from Mr. Toombs, who, when hissed in Boston during his famous speech there, good-naturedly told the people that he had no objection to their hissing if they preferred that method of expressing their feelings; and again, when at some reference to the fugitive slave law they hissed, he

quietly remarked that they were hissing the Constitution of their country and not him. Gov. Johnson had an uphill business in this campaign. He was a sensitive and not at all a combative man, and illy-suited for a struggle against such odds as he had to fight, and against the prejudices of his own people. The papers rang with charges against his political integrity, and these and the personal discourtesy that flamed out in this hot canvass were something he was little fitted to meet.

The Democratic State Convention met on the 8th of August, 1860, and selected a Breckenridge and Lane electoral ticket. A hundred counties were represented by several hundred delegates, including the leading men of the State. Mr. Toombs was a delegate, as also the two brothers, Alfred H. Colquitt and Peyton H. Colquitt from different counties. W. J. Vason was made President. Mr. Toombs was chairman of the business committee. The resolutions were short and to the point. The following bears unmistakable marks of Mr. Toombs' fiery spirit.

"5th. *Resolved*, That we embrace with our whole hearts and trust with our whole counsels those noble patriots in the non-slaveholding States, who, neither disheartened by treachery nor overawed by majorities, maintain the truth and stand by the Constitution and the equality of the States, the only bond of everlasting Union."

The electoral ticket was:

Electors at large.—C. J. McDonald, H. R. Jackson.

Alternates.—A. H. Colquitt, Wm. H. Dabney.

District Electors.—1st, Peter Cone; 2d, Wm. M. Slaughter; 3d, O. C. Gibson; 4th, H. Buchanan; 5th, Lewis Tumlin; 6th, H. Strickland; 7th, W. A. Lofton; 8th, Wm. M. McIntosh.

The Douglas and Johnson State Democratic Convention met in Milledgeville on the 14th of August, 1860. A. J. Lawson of Burke, was made President. Sixty-three counties were represented by 190 delegates. The electoral ticket selected was:

Electors at large.—Alex. H. Stephens, Aug. R. Wright, of Floyd.

Alternates.—T. P. Saffold, Jas. Gardner.

District Electors.—1st, James L. Seward; 2d, B. Y. Martin; 3d, Nathan Bass; 4th, H. Warner; 5th, J. W. Harris; 6th, J. P. Simmons; 7th, J. S. Hook; 8th, J. Cumming.

The resolutions were a simple endorsement of Douglas and Johnson and the platform of the convention that nominated them. A resolution was also passed inviting Mr. Douglas to visit Georgia and deliver an address. Gov. Johnson was invited before the Convention and delivered a powerful and eloquent speech.

The convention of the Bell and Everett party put the following ticket in the field:

State Electors.—William Law, B. H. Hill.

District Electors.—1st, S. B. Spencer; 2d, M. Douglass; 3d, L. T. Doyal; 4th, W. T. Wright; 5th, J. R. Parrott; 6th, H. P. Bell; 7th, J. E. Dupree; 8th, L. Lamar.

The issue was clearly made up with the three electoral tickets, all composed of the very best men in the State. There was no personal consideration in the support given. The issue was decided on its merits. The canvass was very active. The state was covered with large gatherings and swarmed with speakers. Many of the opposition party came over to Breckenridge and Lane, notably such men as Dr. H. V. M. Miller, and Francis S. Bartow. The canvass was aggressive on all sides. Mr. Bell was savagely assaulted for not having endorsed the Dred Scott decision. Mr. Douglas was charged with being ready to ally with the Black Republicans, and one of his strongest and most influential supporters, Hon. A. H. Chappell, left him on account of this accusation. The point was fiercely pushed upon Gov. Johnson as to what he would do if Abe Lincoln was elected, and whether he would submit. He thundered back that he would hold the Breckenridge and Lane party responsible. The whole tendency of the intensely heated canvass was to educate and drive the popular will to disunion if the Black Republicans succeeded. Said that most brilliant and impetuous spirit, Francis S. Bartow, in a burning speech in Savannah, with a sad prophetic forecast of his heroic death at Manassas in the very beginning of the war:

"I am tired of this endless controversy. I am wearied with seeing this threatening cloud forever above our heads. If the storm is to come, and it seems to me as though it must, be its fury ever so great, I court it now in the day of my vigor and strength. (Applause). If any man is to peril life, fortune and honor in defense of our rights, I claim to be one of these men. (Immense applause.) Let it come now, I am ready for it. Put it not off until to-morrow, or the next day, we shall not be stronger by waiting. (Continued applause.) I do not wish to destroy the government. I am a Union man in every fiber of my heart. I have gloried in its missions of humanity, in its heroic birth, and youthful struggles, and in the grandeur of its maturity. God never launched a nation on a more magnificent career. It has been the home of the oppressed and the asylum of the desolate from every land. In it to-day are wrapped the hopes of universal man—but I will peril *all*—*ALL* before I will abandon our rights in the Union or submit to be governed by an unprincipled majority. (Great applause)."

It is the nature of manly men—men of high spirit, to fret under suspense, and to precipitate impending and inevitable issues. It was this spirit which made the situation in 1860 so full of delirium and peril. Southern men saw no end to the slavery agitation save in submission or

fight. The former was out of the question. They invited the latter as the only means of settling the struggle. It was a desperate feeling, and it seized the most tame-spirited. There perhaps has never been a time that brought to the front more vehement and maddening eloquence than that stormy year of 1860. Georgia was full of superb orators, and in the themes of that wild day they found constant and congenial material for impassioned and irresistible oratory. It is in such whirling times of upheaval and passion and madness that eloquent men find their most thrilling mission. The canvass was a carnival of splendid speaking. Men's blood was at fever heat under a long felt and long-repressed sense of wrong. It was no day for reason or argument save what rolled with the passions, that were rising higher daily. Georgia has never been so affluent in great minds and superlative speakers as in that time. There was a superb galaxy of mental giants and genuine orators. Toombs, Johnson, Cobb, the Stephens brothers, Jackson, Bartow, Miller, the two Wrights, Hill, and Colquitt were all men of splendid power on the stump, all magnetic, and all threw themselves into that dramatic agitation with the whole fervor of their souls. Any one of these men was fitted to lead in any assemblage anywhere, while several enjoyed a national reputation of the very largest measure. Mr. Douglas himself came to Georgia and spoke in Atlanta during the canvass to an immense audience. Ben Hill and Warren Akin bore the brunt of the battle on the Bell and Everett side, and did it well. Mr. Hill, near the close of the canvass, published a letter urging the fusion of parties for the sake of the country, but he was unmercifully lampooned for the suggestion by the Breckenridge and Lane press and speakers. And Col. Wm. McKinley, the chairman of the Breckenridge executive committee, published a card officially denying for the committee any idea of such a fusion. It was charged that the movement was a confession of weakness and a trick to defeat Breckenridge, but in the light of results, it was a wise and a patriotic proposition.

As an illustration of the spirit that prevailed, the treatment of Col. Varney A. Gaskill is in point. He was chairman of the Fulton county Breckenridge executive committee. Believing that he was coquetting with the Bell and Everett people, the committee met and passed, and published the following bitter resolution:

"Whereas, V. A. Gaskill having forfeited all confidence of this Executive Committee, by his political course in the presidential canvass, by his public and private political tergiversations, therefore,

Resolved, That V. A. Gaskill be expelled from this Executive committee, and that he is no longer worthy of our political fellowship."

An organization was established in the state that was originated in Macon, called the "Minute Men," irrespective of party, whose purpose was to "sustain southern constitutional equality in the Union, or failing in that, to establish our independence out of it." In Atlanta, the "Minute Men" was started by Col. T. C. Howard, and numbered over 400 members. Such men as Howell Cobb, noted as Unionists, emphatically menaced and foreshadowed disunion. Said Mr. Cobb at Marietta, but a short while before the election in a most powerful and effective speech: "The hour of Georgia's dishonor in the Union should be the hour of her independence out of the Union."

The day of election came at last, and Lincoln and Hamlin were elected. In Georgia the vote stood as follows: Breckenridge and Lane, 51,893, Douglas and Johnson, 11,580, Bell and Everett, 42,855. None of the electoral tickets having received a majority of the whole vote, the choice of the electors was therefore thrown into the legislature. The success of the Black Republican ticket fell upon the South with maddening effect. There had been a fixed belief that somehow such a result would not happen, and the Breckenridge men in Georgia were pretty sure of carrying the presidency. But there stood the inexorable result, and it produced the effect of a volcanic eruption. The Georgia legislature assembled for its regular annual session, the same legislature that had held in 1859. The speaker of the House, Hon. I. T. Irwin, had died, and Gen. C. J. Williams was elected in his place. Several new senators and representatives had been elected, among them, R. C. Humber, George T. Barnes and John Davison, who have been prominent since the war. Mr. Barnes is at present the Georgia member of the National Democratic Executive Committee, this being his second term in that capacity. He is a gentleman of fine talent and character.

The annual message of Gov. Brown was devoted to the business matters of the state, and made a striking exhibit. The state road had paid \$450,000 into the Treasury. Of the state debt not due, \$117,000 had been paid in addition to the interest and principal due. The School Fund had been increased \$200,000, besides \$150,000 paid out for educational purposes. The sum of \$75,000 had been appropriated at the last session to buy arms for the state military. An increase of the appropriation was recommended. All of the institutions of the state were in the best condition. The subject of our Federal relations, Gov. Brown made the occasion of a special message of great length and elaboration, and practical ability. The message was written before it was certain that the Black Republican ticket was elected, but when sufficient re-

turns had come in to render it probable. Reviewing the anti-fugitive slave law legislation of half a dozen of the northern states, he urged as the only means to meet such aggression, a system of retaliatory legislation against such states. He recommended measures of reprisal upon the property of Massachusetts citizens for instance in Georgia, and withdrawal of protection to such citizens, besides discrimination against the manufactures and products of the offending states. In the event that the Black Republican ticket was elected, he advised the calling of a convention of the people of the state, to devise a proper course. He concluded with the recommendation that the sum of one million of dollars be appropriated for a military fund, with the view of armed resistance to any further aggression.

This message of Gov. Brown was a typical instance of the man's methods. Its keen discernment of the situation, its stern recognition of disagreeable facts, its thoughtful consideration of remedies, its thorough preparation for the worst, its bold assumption of responsibility, its daring aggressiveness, its large comprehension of probable needs, and its magnitude of plan, all inspired by prompt and iron-willed nerve, and conducted with confidence and practical sense, were all just what the people had learned to expect from this remarkable man. The message awakened a general interest over the whole Union. It evoked bitter denunciations from abroad. For a month the table of the executive office was covered with letters from every factory in the North, representing in every variety of penmanship, orthography and rhetoric, the ills which would befall any number of men, women and children, should Georgia carry out the policy of her Governor.

It was but a few days until the election of Lincoln and Hamlin was a certainty. County meetings were held in all parts of Georgia, and resolutions poured in a steady current upon the General Assembly urging action. Savannah led off under inspiration of the impetuous Bartow, and declared that the election of Lincoln and Hamlin ought not to be submitted to, and asking for a convention, and measures to organize and arm the forces of the State. A convention of military companies presided over by John W. Anderson, resolved that "Georgia can no longer remain in the Union consistently with her safety and best interest." The appropriation of a million of dollars for military purposes, recommended by the Governor, was endorsed by this convention of soldiers, and their services tendered to the Governor.

Governor Brown issued his proclamation announcing that there had been no selection of electors by the people, and the duty devolved upon

the General Assembly, and he suggested that in view of the fact that the Black Republican candidates were elected,' and the Georgia vote would not alter the result, that for the sake of harmony, so essential now in the South, a refusal to go through the forms of an election would be politic. He also announced by authority that ex-Gov. McDonald, one of the electors on the Breckenridge ticket, would not allow his name used, as he was too feeble to cast the vote. The legislature, however, deemed it imperative to choose the electors, and the Breckenridge ticket was elected, substituting Alfred H. Colquitt for ex-Gov. McDonald.

This legislature of 1860 did important work. A convention of the people of Georgia was called for the 16th day of January, 1861, the election of delegates to take place on the first Wednesday in January, 1861. The act passed unanimously.

The committee upon the State of Republic addressed a communication to the following gentlemen, asking them to meet together in a practical and conciliatory counsel, and suggest a line of policy for the legislature: Joseph E. Brown, Alex. H. Stephens, R. Toombs, Jos. H. Lumpkin, R. F. Lyon, Charles J. Jenkins, J. W. A. Sanford, H. L. Benning, G. Andrews, Linton Stephens, M. J. Crawford, B. H. Hill, F. S. Bartow, James Jackson, T. R. R. Cobb, H. V. Johnson, E. H. Baxter, J. H. Howard. These gentlemen assembled and recommended the calling of a convention with the following preamble:

"Whereas, the present crisis in our national affairs, in the judgment of this General Assembly, demands resistance; and, whereas, it is the privilege and right of the sovereign people to determine upon the mode, measure and time of such resistance."

The office of Adjutant General of the state was created; the acceptance by the Governor of 10,000 troops was authorized; the purchase of 1,000 Maynard rifles and carbines for the coast defence ordered; and an appropriation of one million of dollars for military purposes made. A Direct Trade Company was incorporated; the sum of \$2,500 appropriated yearly to the State Agricultural Society, a practice still kept up; and \$2,500 appropriated to the Cotton Planters' Convention. All of these were practical matters, looking to preparation for the troubles impending, and for a changed condition of affairs.

The menacing state of politics could, of course, have but one effect upon business. Capital became alarmed. All classes of business felt the shock of apprehension. Trade was disturbed, investments ceased, and general commerce was paralyzed. Money was locked up, and the cloud of financial distress darkened the country. The banks, North and

South, looked forward to suspension, and a bill was introduced and passed, granting relief to the Georgia banks. It seemed as if the banks were destined to be a fruitful and constant source of combat between Governor Brown and the legislatures of the State. Somehow or other they could not agree, and the Executive was not the sort of a person to yield his convictions to any pressure, nor to pin his opinions upon any number of coat sleeves. He promptly sent back a veto of the bank relief bill. He said that he had been opposed in 1857 to bank suspensions, and his views had been sustained by the people. There was less reason now for a bank suspension than then. The advocates of bank relief admitted that the banks could meet their liabilities, but it would cost something. In view of their superior advantages some sacrifice is due from them. Bank men practiced upon popular credulity with the absurdity that suspensions were for the benefit of the people. If so, why were the lobbies filled with bank officers spending money to secure the passage of relief bills. He had seen such influences brought before in 1857. The people had not asked for suspension. The relief measure freed the banks from the penalties of not redeeming their bills, and left the bill holder to suffer loss. Was this a benefit to the people? It would be time enough to legalize suspension on account of the political state of affairs when an occasion arose, and as far as they should go would be to put in the Executive discretion to withhold proceedings against the banks if it was required. In the event of suspension of any Savannah, Augusta or Atlanta bank, the collection of debts in the state ceased until December 1st, 1861, and executions became stopped without security. These provisions were an injustice to plaintiffs *in fieri* and to creditors, and gave all advantage to creditors out of the state who could resort to the United States Courts. Northern merchants could enforce claims against Southern merchants, while Southern merchants would be powerless to raise money from their debtors. Was this *resistance* to Northern aggression? Regretting to differ from the legislature, he yet was compelled to veto the bill because objectionable and unjust.

The bill was promptly passed over his veto, but the matter did not stop here. His utterances in the veto message about lobbyists seemed to have given offense. Mr. Dixon of Muscogee, offered a resolution requesting the Governor to give information showing that any member had voted for the relief bill for money, or that any bank had used money to secure the passage of the bill. The words about which explanation was asked, were these:

"Why is it, that these gentlemen never take upon themselves to guard the people's interest, and spend money to secure the passage of bills through the legislature, except when it is desirable to pass a bank suspension bill."

To this resolution the Governor returned a well-tempered, polite reply, directed to the Senate, in which he said that he took pleasure in saying to the Senate, "that no charge of bribery was intended, that the language was general, and was meant to be directed against what is known as lobby influence, when gentlemen leave their homes, and spend money for traveling expenses, tavern bills, etc., for the purpose of hanging around the General Assembly to try to influence the minds of members, so as to secure the passage of a particular bill." The unruffled and immovable Executive proceeded to say that he saw nothing in the message "he desired to retract or modify." No member of the Senate to whom his message was addressed appeared to have suspected reflection on himself until the discovery was supposed to have been discovered elsewhere. He did not doubt that upon a calm review each Senator would now see that he saw in it no imputation upon himself, as "conscious innocence will never appropriate to itself language in which others can see no charge, or even dubious language as an imputation of criminality."

This message gave still farther offense to the House, which passed a resolution offered by Mr. Dixon, which was put on the journals of the House, reciting that the answer had not been communicated to the House, that it was an evasion of a charge the Governor could not maintain, and the language of the answer was disrespectful to the House, therefore,

"Resolved, That his Excellency, Gov. Brown, has not only abused the privileges of this House, but has failed to maintain in his official intercourse with this body, that dignity of deportment, which becomes the Chief Magistrate of Georgia."

It was a war-like time then. Men's fighting blood was up. And it took, in the sweeping belligerence of the universal atmosphere, little provocation to get up a muss between anybody and about anything. Joe Brown too was the worst person in the country to tackle. Nature, in making him, had rather put an over than an under stock of combativeness. It is rather to be suspected that his Excellency had a sort of natural relish for a set-to with other folks. Be this as it may, it stands true that no one ever struck Gov. Brown without getting hit back, and if he ever declined a combat it is not chronicled, nor has it been susceptible of proof. This attack on the Governor was a flimsy one, and it is surprising that it was made, and that the legislative body

allowed itself to take part in it. Congregations of men nor official veneer never had any terrors for this level-headed man of the people. He flung back the House censure with a cool, biting defiance and contempt. Reviewing the matter concisely he showed that he had not evaded the charge, violated any privilege of the House, nor failed in dignity in his intercourse with the House. He used this language about the resolution of the House.

"They were conceived in passion, prompted by a spirit of personal revenge, and not of public duty—undignified in their bearing, untrue in their statements, and unjust in the assault which they make upon a co-ordinate branch of the government."

He ordered his reply to be entered upon the permanent records of the Executive Department, the legislature having adjourned before he prepared the message. Like everything else that he did, this spirited reply and the controversy that elicited it, only strengthened Gov. Brown with the people as a fearless champion of the public interest and the bold assailant of evil.

It was a striking evidence of the hold he had on the public confidence and the estimate that was placed upon his judgment, that the electoral ticket chosen by the legislature addressed him alone of all the distinguished public men of the State, a letter asking his views upon the situation as being "eagerly desired." Gov. Brown's response was a practical common-sense view of affairs, in which he said some very striking truths. The election of Mr. Lincoln, simply as a successful candidate, would not justify secession, but as the triumph of the Northern section of the Union over the Southern section, upon a platform of avowed hostility to Southern rights, justified the South in withdrawing from a confederacy where she could not be protected. Submission to the inauguration of Mr. Lincoln now would result in the final abolition of slavery. If resistance was not made now it would be fruitless hereafter. He discussed fully the business effect upon the South of the abolition of slavery. Impartially scrutinizing the outlook, he expressed the opinion that the South could never live in peace with the Northern abolitionists unless we could have new constitutional guarantees that would stop the slavery agitation. These the Northern people would never give. There was no doubt that the States around Georgia would secede, and we would thus be surrounded by free and independent states, with whom we have a common interest, and to refuse to stand with whom would in no way benefit us. Let wise men be sent to the convention, and let them act for the best to protect our rights and preserve our liberties.

CHAPTER XVI.

THE STUBBORN BATTLE IN GEORGIA OVER DISUNION.

A Majority Against Disunion.—The County Appeals to the Legislature.—A Striking Batch of Papers.—The Greene County Resolutions and M.W. Lewis.—Stately Invektive.—Stephens, Johnson and Ben Hill, against Secession.—Dr. Lovick Pierce.—Howell Cobb.—L. J. Gartrell.—The People Halting.—Toombs Drives the Wedge Finally.—His Master Stroke of Disunion.—His Conservative Danbury Letter.—His Scheme of the Crittenden Resolutions, which Tested the Black Republican Willingness to Compromise.—His Ringing Dispatch for Disunion.—William L. Harris of Mississippi.—Gov. Brown and the Banks Again.—The Choice Pardon.—Charles J. Jenkins.

A PRETTY fair criterion of the disunion sentiment in Georgia before the election of Lincoln and Hamlin was the Breckenridge vote. The union element voted for Douglas and Bell. The Breckenridge platform naturally attracted the most pronounced Southern rights men who were for making an unqualified issue for slavery. The vote showed a majority against disunion. The election of Lincoln set the current steadily to secession, and fixed a majority for national dissolution. But there was yet an immense reserve of decided union sentiment, that resolutely sought to stem the disunion tide. Over forty counties held public meetings and transmitted resolutions to the General Assembly. These solemn utterances of public opinion constituted a remarkable body of popular expressions. Whether for or against disunion they were tinged with a white heat, and echoed the tumultuous agitation of the time. The bulk of them demanded secession, but there were some most extraordinary, eloquent and prophetic appeals and pleas for union.

The resolutions from Greene county, presented to the legislature by Miles W. Lewis, cover seven pages in the House journals of 1860, and furnished a striking and masterly argument for a conservative course. Pronouncing the election of Lincoln a violation of national comity, and not to be submitted to except temporarily, they yet declared it was not *per se* a sufficient cause for immediate dissolution, for a powerful array of reasons:—Because it was a constitutional election, against Northern interest to dissolve the union, because the South was not yet united, because time and delay should be given to let the North try to do justice, because haste in the overthrow of the government would cut off sympathy for our movement, because the masses of the Southern

people were not ripe for disunion, because we were not ready for war, because no serious effort had been made at reconciliation, because we owed a duty to mankind to preserve our republic and its genius, because of the injury to our state and national securities and the terrible pecuniary results, and because a dissolution if proper ought to be done with slow deliberation and after every effort to preserve it, quoting the example of our colonies which only dissevered finally and irrevocably the bond to the mother country after two years' fighting. State conventions, and then a Southern convention, temperate but firm, should be held, urging our rights before the North and making a last grand united effort for a settlement such as we wished. The last of these powerful and statesmanlike resolutions deserves going entire.

"Resolved, That in view of the great and solemn crisis which is upon us, we request our fellow citizens to unite with us in prayer to Almighty God that he would deliver us from discord and disunion, and above all, from civil war and from bloodshed; and that he would so guide our counsels and actions that we may be able to maintain our rights without revolution."

There were a number of the counties that sent up similar resolutions to the above, Sumter, Milton, Troup and others. But the majority struck hotly for immediate secession. Some were magnificent ebullitions of stately and impassioned invective. No man can read this masterly set of public resolutions without being impressed with their dignity, force, vigor of thought and uncommon excellence of diction and august gravity and intensified fervor of spirit. They were the outcome of an aroused and welded public sentiment, focalized to the most impressive majesty of deep human feeling and conviction. There was an originality of conception and a variety of treatment too about them that was wonderful, and indicated the marked ability as well as profound reflection of their authors. The grand problems of our government, the difficult questions of civil, social and political policy, the philosophical relations of sections and classes, and the practical matters of administration were discussed and expounded with a marvelous incisiveness and condensation, and an apothegmatic felicity of language.

The Dougherty County resolutions reported to the House by Mr. R. N. Ely, presented forcibly an idea, urged by a number of other counties, that represented the view of the more conservative secessionists. This was the necessity of co-operation among the Southern States. It was declared,

"It would be monstrous if a single Southern State should, without consultation and by separate action, attempt to decide the great question that now presses upon the South, not only for herself, but for her remaining fourteen sister states."

This was the very thing that did happen, a thing that was a great wrong, that was unwise and impolitic to the last degree, and that was remediless. These resolutions put the true wisdom of the crisis in these words:

"The time has come for the final settlement of the slavery question upon an enduring and unequivocal basis, and to a General Conference of the Southern States, we would entrust the duty of declaring what that basis shall be."

The Richmond County action, reported to the legislature by Mr. Wm. Gibson, contained this beautiful and significant incident. The chairman having stated the object of the meeting, then informed the assemblage that it had been made known to him that a white flag with the lone star, and inscribed thereon: "*Georgia—Equality in or Independence out of the Union*" had been placed upon the cupola of the Temple of Justice in which they were then assembled; and was then waving over their heads; which announcement was received with long, continued applause. When on motion it was unanimously resolved, "That this meeting adopt the flag and its position as their act, evincive of their determination in the present crisis." It is at such fevered times when the public blood is in a state of exalted fervor that poetic trifles like the above incarnate the solemn purposes of earnest, iron-minded men and idealize a stern gravity into romance.

But serious as was the crisis, and ominous the drift to revolution, the people were not ripe for the plunge. Some very strong men were opposing the policy of secession. H. V. Johnson, Alex. H. Stephens and Ben. H. Hill stood firmly against it. Mr. Stephens made a speech to the Georgia legislature, that take it all in all, was the grandest of his life. Unaffected by the whirlwind of passion around him, that terrorized men, he uttered a clear, firm counsel against secession. He daringly asserted that the South was not blameless, and with an unsurpassed moral and physical courage planted himself against disunion. In the calm retrospection of those crazy days this appeal of reason was simply sublime. Dr. Lovick Pierce, the powerful methodist Divine, threw his strong influence against it. Yet he was taunted in the press with inconsistency, because in 1844 he had urged the secession of the southern Methodist church, because Bishop Andrews was officially crucified by the northern Methodists for being a slave-holder. Howell Cobb wrote from Washington a long and unsurpassably able letter, calm, logical, dispassionate and even cold in its temperate, but inexorable argument, discussing the whole situation and urging immediate secession. He quoted voluminously from all of the Republican leaders, to show the im-

movable abolition intent of the party, he demonstrated that the result of the election was war to the death on slavery, he showed that there was no hope for the South in any other remedy than secession, he argued that honor and interest required immediate withdrawal from the Union, and he announced that he was coming home to share the destiny of his state, and resigned his position as Secretary of the Treasury. L. J. Gartrell wrote to Dr. William C. Humphries of Atlanta, a letter declaring that it was the policy and duty of Georgia to secede. Mr. Gartrell had made an enviable reputation in congress and stood among the promising young men of the state. He had delivered several speeches in congress that attracted much attention, and had borne himself in debate so as to win the respect of his opponents, as well as the applause of his friends. The venerable ex-Gov. Wilson Lumpkin, in a letter to Asbury Hull, H. C. M. Hammond, R. S. Taylor and others, stated that there was no hope from the North and secession was the only chance of prosperity. Gov. Lumpkin had not been in public life since 1843.

But the people still were not matured for the grave step. It was reserved for Robert Toombs with a consummate management to fashion and drive the wedge that rived apart the stately structure into contending halves. To him, beyond all question, belongs the leadership of the South in sundering the Union. He was the unquestionable genius of the revolution. William L. Yancey was a powerful factor in the disintegration. But Toombs was the chief and master architect of the disruption. His final achievement was a master stroke of diplomacy, sure, subtle and invincible. It fell upon the South with resistless effect. It swept away the last foot-hold of conservatism. The heaviest objection to a resort to disunion, was the idea that the Republicans were willing to give guarantees against any further interference with slavery, and this willingness should be tested before going to the last extremity. To meet this idea a number of southern senators and representatives, including Iverson, Crawford, Jones, Jackson, Gartrell and Underwood of Georgia, issued an address, brief and pointed, stating that all hope of relief was gone, and both southern honor and safety required secession. But this was not satisfactory to the conservative element. It was left for Mr. Toombs to put the finishing stroke to the indecision and reluctance of the halting. The legislature had voted down a resolution in favor of immediate secession, and in the senate a motion to reconsider was lost after a stiff debate, in which Harris, Lawton, Moore, Spaulding and Tracy were for immediate action, and Jones, Trippe, and Ben. Hill

were against it. Spaulding dubbed Trippe a submissionist; Jones sneered that the co-operationists would have the fighting to do; Harris retorted that Jones was a "citizen in war and a soldier in peace;" Moore declared that Hill's speeches were on both sides; and Tracy charged that Hill "was in love with his subject, and that subject himself." The sharp sparring showed the feeling at play, and the result evinced the proper deliberation before a grave step.

Mr. Toombs had been invited to address the citizens of Danbury, Va., and wrote a letter declining, but giving his views. This letter was a very adroit one. It was so moderate as to expose him to taunts from the extreme secessionists and conservatives both that he was backing down. But it was the most practical drive yet made to unite the divided South in disunion. It recommended delay until the 4th of March, to test the Republican willingness to do right to the South. At the same time he incensed the Republicans by boldly charging upon them the purpose to destroy slavery by hostile laws and stimulating revolts and protecting slave-thieves and insurrectionists. He declared the only remedy for these enormous evils was new constitutional guarantees protecting the South. Let these be offered to the Republicans as a test of their spirit. These constitutional restrictions were worth a cart-load of political planks, and if the Republicans refused to grant them, then the time for action was at hand, and he was willing to delay for such a test in concession to the earnest and honest men who were hopeful of redress in the Union. Mr. Toombs knew well that the Republicans would hoot at the idea of such constitutional amendments, but he knew that their rejection would solidify our people.

In accordance with this programme of Mr. Toombs, the Hon. J. J. Crittenden of Kentucky offered before the United States Senate Crisis Committee of thirteen, a series of resolutions reciting the pending trouble, and proposing as a settlement of it constitutional amendments for the revival of the Missouri compromise line, denial of right to abolish slavery in the arsenals and District of Columbia, transit for slaves over non-slave-holding territory and payment for fugitive slaves rescued from officers by mobs. A time was appointed when the committee agreed to be all present and act on the resolutions. On this committee were Messrs. Davis, Doolittle, Collamer, Wade, Toombs, Grimes, Hunter, Bigler, Crittenden, Douglas, Rice and Powell. Under the rules of the committee no proposition should be considered adopted that did not pass by a majority of the Republicans. The propositions were all rejected, *Mr. Toombs voting against them*, though he declared

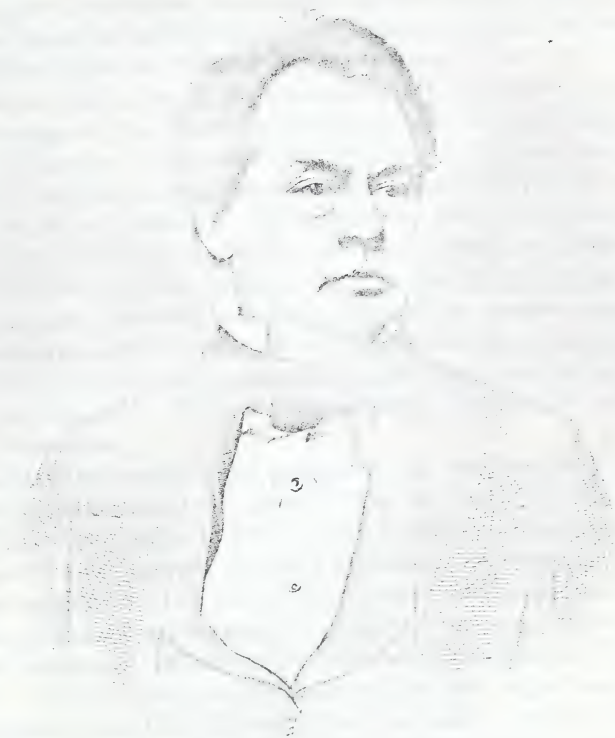
he would go for them if the Republicans offered and went for them in good faith. But the fact stands that he voted against them. He immediately telegraphed a ringing address to the people of Georgia, reciting that the Black Republicans had not only voted against any constitutional guarantees for the South, but declared that they had no guarantees to offer. He wound up with these momentous words, the most important and effective for the disunion movement that had been announced by any man or set of men in this tremendous agitation:

"I tell you upon the faith of a true man, that all further looking to the North for security for your constitutional rights in the Union, ought to be instantly abandoned. It is fraught with nothing but ruin to yourselves and your posterity.

"Secession by the fourth of March next, should be thundered from the ballot-box by the unanimous voice of Georgia on the second day of January next. Such a voice will be your best guarantee for LIBERTY, SECURITY, TRANQUILLITY AND GLORY."

From this time on, though a very considerable portion of the people opposed secession, the policy of disunion in Georgia was an established fact, and the movement sped swiftly and steadily to its consummation. The Hon. William L. Harris of Mississippi, as delegated commissioner from that state to Georgia, made an address to the General Assembly communicating officially the fact that Mississippi had called a state convention to consider the situation, and asked Georgia's co-operation in the adoption of efficient measures for their common defense and safety. The address of Mr. Harris was a very eloquent and effective appeal. His references to Baldwin, Jackson and Troup, the famous Governors of Georgia, were very fine. He declared Georgia "the brightest exemplar among the advocates and defenders of state rights and state remedies. He touchingly alluded to the fact that Mississippi was cut off from Georgia, "glorious old mother"—and that thousands and thousands of Georgia's sons and daughters were adopted children of Mississippi, who still fondly looked to their native state for sympathy and guidance. Mr. Harris in his mission for Mississippi but reflected the feeling in all of the Southern states which looked to the action of Georgia above any other state; and this deep interest in Georgia's action demonstrated how powerful and influential was our commonwealth.

The Legislature adjourned on the 19th of December, 1860, having passed resolutions of sympathy with the message of Mississippi as communicated through Hon. Wm. L. Harris, and resolving that should any or all of the Southern states determine in the present emergency to withdraw from the Union, such seceding states should form a confederacy.



W. Forman

Before the adjournment the bank agitation was resumed. After the passage of the bank-relief bill over Governor Brown's veto, the banks began to suspend specie payment, and one bank had suspended before. The Governor issued his proclamation as required by law, announcing the suspension, but he showed his unabated hostility to the measure and his unconquered resolution in spite of legislative majorities, by concluding his proclamation making known the suspension with the parenthetical statement that he "feared too many know it now to their injury." After a brief trial of the suspension act, Governor Brown addressed a message to the General Assembly making recommendations for additional legislation. He called their attention to the fact that insolvent banks, as well as solvent ones, had the benefit of the act, and were relieved of all responsibility. He went on to discuss the suspension, and showed that his prediction had come true that exchange had gone up to three per cent. He put in some heavy blows upon the bank relief champions, showing how relief relieved the people, increasing cost of purchases and freights. If the Legislature would not repeal the obnoxious law, at least let it reduce exchange to one per cent., and place insolvent banks in a different category from the solvent banks. These things were done.

Another matter that excited much discussion was the pardon by the Legislature of a gentleman by the name of Wm. A. Choice, convicted of murder. He was very highly connected, and powerful influences were brought to bear for the purpose of saving him from the penalties of the law. At the session of 1859 an act had passed for his pardon, and Governor Brown had vetoed it upon the merits of the case. Ben Hill took a strong interest in the case, and it was brought before the Legislature again. Mr. Hill pushed it with great ability and vigor, and the pardon was again granted by the Legislature and again vetoed by Governor Brown. The bill provided for placing Choice in the Lunatic Asylum, and was passed over the Governor's veto by a constitutional majority. The case attracted general attention in the state, and a right warm feeling was stirred up between Governor Brown and the friends of Choice. There was some newspaper controversy over it. In the Legislature also there was acrimony on the part of members growing out of the question whether Governor Brown had a right to veto a pardon in a murder case.

The case illustrated the unyielding persistence of Governor Brown's character, and his unswerving adhesion to what he conceived to be his duty. The unfortunate subject of this controversy died within the last

year in the asylum. Commenting upon this case, the *Augusta Dispatch* had these words:

"We are not much of an admirer of the 'one man power,' but the judgment, justice and bravery with which Governor Brown has exercised it makes us almost in love with it."

Judge Linton Stephens having resigned as Judge of the Supreme Court, this Legislature did a graceful act of honor to the State in electing Charles J. Jenkins.

CHAPTER XVII.

THE MOST VITAL CHAPTER OF GEORGIA HISTORY—HER SECESSION FROM THE UNION.

Georgia Foremost in the Slavery Agitation.—Her Potential Men.—Her Destiny of Leadership to Continue through Joe Brown.—Carolina Secession.—Its Flaming Effect.—Bartow and Lochrane.—Gov. Brown's Seizure of Fort Pulaski.—H. R. Jackson.—A. R. Lawton.—The Convention Endorses Brown.—The Southern Press on the Seizure.—The Macon Companies.—Richard R. Cuyler.—The Secession Convention.—Georgia the Pivotal State.—Personelle of Convention—Ablest Body of Georgia Annals.—E. A. Nisbet.—T. R. R. Cobb.—Dr. Joseph P. Logan.—Nesbit's Secession Resolution.—ex-Gov. Johnson's Famous Substitute.—A Debate of Giants.—Tom Cobb gives the Key Note.—An Historic Picture.—Robert Toombs.—“We Accept War.”—Committee to Draft Secession Ordinance.—The Ordinance.—The Signing.—The Protest of Six.—The Ship given to the Lightning and the Gale.—The Inspiration and the Effect of Georgia's Secession.

FROM 1850, when Georgia leaped to the front in the slavery controversy, and gave to the country the famous “Georgia Platform,” as the crucial enunciation of Southern doctrine on slavery, up to the crisis in 1860, our state had been the foremost in the agitation. The phenomenal Stephens had focalized the national gaze in the memorable contentions about this subject. The imperial Toombs had led the Southern statesmen with a blended brilliance, ability and audacity, that no man ever surpassed in any forensic arena. The large-souled Cobb had guided the policy of Buchanan's administration in the culminating years of the political strife. In her ponderous-brained Johnson the state had furnished as a Vice-Presidential candidate on the Douglas ticket one of the pivots of the campaign. Around the name and agency of Georgia hung the most potential prestige of any Southern state. Her positive instrumentality in the drama was destined to continue. We have seen how Mr. Toombs drove the impending storm to a crisis. We shall see how from this time on, the focal figure in Georgia during the four deadly years that followed was Joseph E. Brown. He had done little during the long birth of the revolution. But when it became inevitable, his agency as a leader was something marvelous. It seemed as if nature had put him in the place for the emergency. His peculiar qualities found a fitting field for their display and the public benefit. His acts

seemed like inspirations. There was a prevision of needs, a forecast of events, a vigor of action and a daring in responsibility, that exactly met the appalling crisis and savored of the heroic. The man seemed born for the time. The homespun mountaineer, hero of the plowing bull and the calico bed-quilt, had ripened into the acknowledged genius of a great commonwealth in the ordeal of a mighty revolution. The people, masses and leaders, looked to his cool sense, iron nerve, and resourceful capacity in this trial, and he met their demands and hopes fully. His leadership was intuitive, masterly, undisputed. He did as one made for the era.

Precisely at fifteen minutes past one o'clock on Thursday, the 20th day of December, 1860, under an ordinance of secession passed in sovereign convention, the State of South Carolina withdrew from the Union of the United States, and resumed her independent state sovereignty. That act was the first step in the great civil commotion of the century. It was the beginning of an end of illimitable extent. It was not the practical inauguration of the war, but it was the preface to it. The news stirred the South wildly. It fired the Southern people into a sort of delirium. All over Georgia the people celebrated the startling event with gatherings and speeches, and a general exhilaration. In Atlanta guns were fired at sunrise. An immense crowd assembled, and a hundred guns echoed the public joy from noon until sunset. There was a grand torchlight procession and a balloon ascension. Abraham Lincoln was burned in effigy, and Howell Cobb made a burning and powerful speech.

On the 28th, a few days later, Francis S. Bartow and O. A. Lochrane addressed the citizens of Atlanta. While Bartow was speaking, a dispatch was handed him just received, that Fort Moultrie in Charleston Harbor had been burned by the Federal troops, and the garrison had gone over to Fort Sumter, and Charleston had ordered out two regiments. The scene that followed baffles description. The audience became wild with enthusiasm. Three cheers were given for South Carolina amid such a tornado of applause as is rarely heard. The ready and impassioned Bartow, resuming his speech with folded arms, rang out with a biting sarcasm, "Yes, while you *talk* of *co-operation*, you hear the thunders of the cannon and the clash of sabers reach you from South Carolina." The applause was deafening over this. Continuing, the orator thrilled forth: "Is this gallant, noble state of South Carolina, that had the boldness to take the lead in this matter, to be left to the cold calculating of the co-operationists of Georgia?" Vehement replies

of No! Never!! Never!!! Never!!!! thundered from every part of the dense gathering.

This action of the Federal authorities in regard to Forts Moultrie and Sumter inflamed the already high war fever of the South to an overmastering fury. Even such far-sighted men as Gov. Brown were not decided that the North would attempt coercion of the seceded states. They believed that war possibly might not follow. But the Fort Sumter matter left no doubt of the Federal purpose to resist forcibly secession. The appointment of Mr. Holt as secretary of war in the place of Floyd confirmed this, Mr. Holt being alleged by Mr. Toombs to be inimical to the South, and his selection foreshadowing active hostility. Under the light of this momentous revelation of policy, so full of unspeakable results, the disunion sentiment still further increased. It was under this knowledge that the practical genius and prompt decision of Gov. Brown came into play with one of those strokes of action for which he has been noted. He began a series of daring assumptions of responsibility that made Georgia memorable, and himself famous. He took a step of decisive leadership that at once showed the people, not only of the State, but of the South, and of the rapidly disintegrating Union, that Georgia's Governor was fully equal to the needs of the emergency. And it was this step that continued the remarkable agency of this State as the most potential factor in this great strife, and it gave to Georgia whatever of glory may attach to committing the first overt act of war. Georgia, it must be remembered, was still a member of the Union. She did not secede until the 19th of January, 1861. She was in the Union, while Carolina was out of it. The seizure of the coast defenses was not only therefore a dictate of military forecast and wisdom, but it was an aggressive act of war against the Federal government, whose authority was still operative.

Fort Pulaski at the mouth of the Savannah river commanded the approach to that city, and was the chief fortification on the Georgia coast. Quick to conceive a practical idea, Gov. Brown was as quick to execute it. In the event of war, Fort Pulaski was a military necessity to the State, and war was coming. Gov. Brown determined to seize it immediately. There had been some private movement in Savannah looking to an occupation of the Fort by the citizens of the city, but the cooler-headed men advised against such an act, and the Governor was advised of the purpose. He went to Savannah in person to decide, and promptly determined to officially order the seizure. The first regiment of Georgia Volunteers was commanded by Col. Alexander R. Lawton,

to whom the Governor issued the following order, which was carefully prepared, and explains the reasons for the act.

"HEADQUARTERS GEORGIA MILITIA, }
SAVANNAH, January 2, 1861. }

Colonel A. R. Lawton, Commanding 1st Regiment Georgia Volunteers, Savannah:

SIR: In view of the fact that the Government at Washington has, as we are informed upon high authority, decided on the policy of coercing a seceding State back into the Union, and it is believed now has a movement on foot to reinforce Fort Sumter at Charleston, and to occupy with Federal troops the Southern forts, including Fort Pulaski in this State, which if done would give the Federal Government in any contest great advantage over the people in this State; to the end therefore that this stronghold, which commands also the entrance into Georgia, may not be occupied by any hostile force until the Convention of the State of Georgia, which is to meet on the 16th instant, has decided on the policy which Georgia will adopt in this emergency, you are ordered to take possession of Fort Pulaski as by *public* order herewith, and to hold it against all persons, to be abandoned only under orders from me or under compulsion by an overpowering hostile force.

Immediately upon occupying the fort, you will take measures to put it in a thorough state of defense, as far as its means and ours will permit; and for this purpose you will advise with Captain Claghorn, Chatham Artillery, who has been charged with all matters relating to ordnance and ordnance stores and their supply.

You will further arrange with Captain Claghorn a series of day and night signals for communicating with the city of Savannah, for the purpose of calling for reinforcements, or for other necessary purposes. And you will arrange with Mr. John Cunningham, Military Purveyor for the time being, for the employment of one or more steamboats, or other means of transportation by land or by water that may be necessary, and for other supplies (except for ordnance stores, for which you will call upon Captain Claghorn) as may be required.

If circumstances should require it, the telegraph will be placed under surveillance.

I think from our conversation you fully understand my views, and relying upon your patriotism, energy and sound discretion in the execution of this important and delicate trust, I am, sir, very respectfully,

Your obedient servant,

JOSEPH E. BROWN,
Governor and Commander-in-Chief."

An additional order was issued by the Adjutant-General, Henry C. Wayne, in regard to the details. There was a spirited rivalry among the volunteer companies of Savannah to participate in this duty. Details from the Chatham Artillery, under Captain Joseph S. Claghorn; Savannah Volunteer Guards, under Captain John Screven, and Oglethorpe Light Infantry, under Captain Francis S. Bartow, amounting to 134 men, 50 each being taken from the infantry companies and 34 from the artillery, were made of a force to seize the fort. The seizure was made on the morning of the 3d of January, 1861. The writer was a member of the Oglethorpe Light Infantry, and was one of the detail

from that company for this duty. The seizure created the greatest excitement over the whole South. It was in accord with the spirit of the hour, and Governor Brown received unstinted encomiums for his decisive conduct. Its effect on the other Southern states was electrical and wide-spread. It stimulated the war spirit, and immediately gave Georgia the prestige that she held to the end of the conflict.

Col. Lawton in communicating the occupancy of the fort made the following statement of an incident that was regarded as an unpleasant complication, but which Gov. Brown promptly settled:

"On steaming down the river this morning I ascertained with regret that certain unauthorized persons had taken possession of the United States revenue cutter, *Dobbin*, and are now exercising control over her in the waters of Georgia."

Col. Lawton stated that he had taken the cutter, and expressed regret that such embarrassing questions should be presented by unauthorized persons at that critical time. Gov. Brown immediately notified Mr. John Boston, collector of the port, that the cutter was at his disposal, regretting the lawless seizure of the vessel, and the cutter was delivered to the captain.

The fort contained when thus taken, twenty thirty-two pounder guns in bad condition, and very little ammunition. Every effort was made to put the fort in order. The garrison of gentleman soldiers was put under strict military discipline. The guns were properly mounted and ammunition supplied. Drilling and practice firing were daily done. The cartridge bags for the heavy guns were furnished by the deft fingers of the Savannah ladies. Some lady sent down to the fort a fine fruit-cake iced beautifully and the word "Secession" wrought in with sugar, while another more practical, sent down a package of lint. Gov. Brown remained long enough in Savannah to see the seizure completed, and returned to the seat of government. He telegraphed an account of his proceedings to the Governors of Florida, Alabama, Mississippi and Louisiana, and received strong endorsements of his course in reply, and the intimation that his example should be immediately followed. Gov. Moore of Alabama immediately seized the forts and arsenals in that state. The minute men of Macon passed unanimously some resolutions of Charles J. Harris, Esq., approving the seizure, and pledging themselves to sustain Gov. Brown at any sacrifice. The state convention that met soon after passed this resolution:

"This convention highly approves the energetic and patriotic conduct of Gov. Brown in taking possession of Fort Pulaski by Georgia troops, and requests him to hold possession until the relations of Georgia with the Federal government be determined by this convention."

The Governor on his way to Milledgeville was received all along the line of railroad with demonstrations of approval of his course. On his arrival in Milledgeville, a large number of citizens with music and torches went to the executive mansion and serenaded him, and he made a short talk that was cheered with a hearty good will. The press was very emphatic in approval of the Governor's action. Said the *Augusta Democrat*: "He has exhibited an intelligence, firmness and comprehensive statesmanship, equaled by few and surpassed by none in the annals of the state." The Southern journals generally commended his course. The *Alabama Spirit of the South* thus paid him tribute:

"We cannot but admire the skillful and energetic manner in which Gov. Brown manages and controls the public affairs of Georgia. He takes counsel of no man's fears; listens to no timid suggestions of delay; waits for no co-operation or compromise. He turns neither to the right hand nor the left, but proceeds right onward to vindicate the honor and protect the rights of his government. He executes his plans with the nerve of a soldier and the skill of a statesman. He defies the threats of Federal power, and laughs his enemies to scorn. He is full of Jacksonian will and courage; possessing wisdom to devise and boldness and sagacity to execute. He has much administrative capacity, and in our opinion is better fitted for President of a Southern confederacy than any man in the South."

This as contemporary comment, outside of State bias, will afford some conception of how this self-reliant and resolute Executive of Georgia in that troublous day impressed impartial public judgment. A little episode occurred at this time that will exemplify the popular feeling as well as Governor Brown's spirit. The officers of the volunteer companies of Macon, Captain R. A. Smith, Captain E. Smith, Captain E. Fitzgerald, Captain T. M. Parker, Captain L. M. Lamar and Lieutenant Wm. H. Ross telegraphed to Governor Brown, asking him "if he would sanction the movement of Georgia volunteers going to the aid of South Carolina." This was the prompt response:

"I will not. Your first duty is to Georgia. South Carolina is able at present to take care of herself. *You may be needed at home very soon.*

"JOSEPH E. BROWN."

On the 9th day of January, 1860, the State of Mississippi followed the example of South Carolina and formally seceded from the Union. On the 11th of January, Florida and Alabama withdrew. Each day as it dawned brought some new contribution to the war spirit. The Federal steamer "Star of the West" attempted to run in to Fort Sumter and was fired upon by the Carolina troops in Fort Morris and driven back. It was a rising flood of combative feeling. The sense of coming conflict pervaded the most thoughtless, and serious people thrilled under

the moving stimulus. Richard R. Cuyler, the President of the powerful Central Road Company, patriotically notified Gov. Brown that his bank was ready to take one hundred thousand dollars of the bonds for the defence of the State at par. Secession cockades and badges were made by the thousand and worn openly and gaily. Some lady wore a bonnet made of white and black Georgia cotton, covered with a network of black cotton, the streamers ornamented with Palmetto trees and Lone Stars embroidered with gold thread, while the feathers were formed of white and black worsted.

The Georgia Convention assembled on the 16th day of January, 1861. The eyes of the whole Union were upon this most august body. There was an interest in its deliberations, both profound and wide-spread. It was felt to be the turning point of the real commencement of the revolution. If staid, self-poised, deliberate powerful Georgia held back from the work of disintegration it would have been such a substantial check to the destructive movement as would have done much to stop it. Georgia's coöperation rendered the revolution sure. The Federal administration looked anxiously to our State as the crucial agency of the agitation. The people of the North focalized their attention upon this arbiter of an impending and incalculable convulsion. It was known that a majority of the people of Georgia favored secession, but the minority in favor of coöperation and delay was a very large and powerful body of public sentiment, ably and patriotically headed. The vote taken in the election for members of the convention showed an aggregate of 50,243 for secession and 37,123 against, giving a majority of only 13,120 for immediate disunion, out of 87,366. This was a much smaller majority than Gov. Brown had obtained in his last election. In many counties the anti-secessionists had heavy majorities. Such strong counties as Baldwin, Floyd, DeKalb, Cass, Franklin, Gordon, Gwinnett, Lumpkin, Murray, Walker, Walton and others went some of them overwhelmingly against disunion. In many counties it was the closest sort of a shave, giving either way only a vote or two. The most one-sided secession county in the whole State was Cobb, which gave 1,035 votes for and only seven against disunion. Chatham was also nearly unanimous for secession. In a very few counties no opposition candidate to secession was run. In Taliaferro and Tattnall no secession candidate was put up. These statistics will show how much the people were divided on this issue, and yet in the crazy fever of the war excitement and the more noisy demonstration of the secession champions, the opposition was almost unheard and absolutely impotent. A few brave

spirits spoke out fearlessly, and courageously endeavored to stem the rushing and turbulent tide of disunion. But the generality of conservative men feeling powerless to do anything, and unwilling to incur a certain odium that clung to men alleged to be lukewarm or opposed to Southern interest, went quietly along simply voting in the opposition.

The secession convention was the ablest body ever convened in Georgia. Its membership included nearly every leading public man in the State, the leaders of all parties and shades of political opinion. The President of the Convention was George W. Crawford, who had been Governor of the State from 1843 to 1847, a gentleman of large influence and commanding ability, and for years a recognized popular leader. There was Robert Toombs, United States Senator, and for a short time Secretary of State in the Confederate Administration; the two famous Stephens brothers, Alexander H. Stephens, Vice President of the Confederate States, and Linton Stephens, Judge of the Supreme Court. Ex-Governor Herschell V. Johnson, candidate for Vice President on the Douglas ticket and ex-United States Senator; Eugenius A. Nesbit, ex-Member of Congress and ex-Judge of the Supreme Court; Benjamin H. Hill, present United States Senator; Alfred H. Colquitt, the present able and popular Governor of Georgia; Henry L. Benning and Hiram Warner, ex-Judge and ex-Chief Justice of the Supreme Court. There was also Augustus H. Kenan, Washington Poe, David J. Bailey, ex-President of the Georgia Senate, Gen. W. T. Wofford, Francis S. Bartow, Thos. R. R. Cobb, Dr. H. R. Casey, Judge R. H. Clark, H. P. Bell, member of Congress since the war, Dr. J. P. Logan of Fulton county, one of the most eminent and scientific physicians in the State, Wm. H. Dabney, D. P. Hill, Goode Bryan, Judge W. B. Fleming, Henry R. Harris, member of Congress since the war, Thos. P. Saffold, Judge Augustus Reese, Purmetas Reynolds, Arthur Hood now Judge, Willis A. Hawkins, since Judge of the Supreme Court, T. M. Furlow, A. H. Hansell, S. B. Spencer, since Mayor of Atlanta, P. W. Alexander, C. W. Styles, N. A. Carswell, now Judge of the Superior Court, and John L. Harris, since then a Judge.

Among these gentlemen two were the most potential and unexpected workers for secession. Judge Eugenius A. Nesbit, the author of the Ordinance of Secession, had always been a very conservative public man. He was a small gentleman, though of great personal dignity. He possessed unusual culture and erudition. He was a christian of profound piety. He had been a Congressman and a Judge of the Supreme Court, and was known for eloquence, learning, ability, classical educa-



tion, and a moral and social character of exquisite purity. The other of these two unlooked-for disunion advocates was Thos. R. R. Cobb, like Judge Nisbet, an earnest, fervent christian worker, but who, unlike his distinguished colleague, had never taken any part in political life. He was a lawyer of marvelous industry and acumen. The secession issue aroused all the fervor of his earnest soul. The election of Lincoln threw him into the political arena, the most intense, unwearied champion of secession in the state. All of the powerful energies of his mind and will were bent upon this mission of withdrawing Georgia from the Union and establishing a Southern Confederacy. He was, as Mr. Stephens fitly called him, a sort of Peter the Hermit in this secession crusade, pursuing it with an unquenchable enthusiasm.

Nothing could more vividly show the engulfing fever of the day than the fact that such men as Dr. J. P. Logan were drawn into public activity. Leading the medical profession, he was a scientific enthusiast in his high calling. A gentleman of imposing figure and a noble face, with genial dignity of manner, combining every christian grace of character with decisive manhood, high intellectuality and rare medical skill and erudition, his interest in the movement showed how the solid strata of our best citizens was stimulated to zeal in this agitation.

Mr. Albert Lamar was made the Secretary of the Convention. Gov. Brown and ex-Gov. Howell Cobb were invited to seats upon the floor. The convention was addressed by Hon. James L. Orr, Commissioner from South Carolina, and Hon. John G. Shorter, Commissioner from Alabama, explaining the attitude of those states and seeking the coöperation of Georgia in disunion. On the 18th of January Judge Nisbet introduced a resolution declaring in favor of secession and for the appointment of a committee to report an ordinance of secession. This precipitated the issue. For this resolution ex-Gov. H. V. Johnson, acting in concert with Mr. Stephens, offered a substitute written by ex-Gov. Johnson, reciting Georgia's attachment to the Union; the assaults that had been made upon slavery and the insecurity they begat in the Southern mind; the peril that threatened the South from a hostile majority, a peril augmented by the recent secession of several Southern states; and that while Georgia could not abide permanently in the Union without new and ample constitutional guarantees, yet she was not disposed to withdraw hastily or without consultation with her Southern Confederates, whose counsel and coöperation she invoked to secure our rights in the Union if possible, or to protect them out of the Union if necessary. The substitutes proposed an ordinance that Delaware, Maryland, Vir-

ginia, Kentucky, North Carolina, Louisiana, Texas, Arkansas, Tennessee and Missouri be invited to send delegates to a congress in Atlanta the 16th day of February, 1861, to consider the situation and devise a course. The independent republic of South Carolina, Florida, Alabama and Mississippi were invited to send Commissioners to said Congress. It was further declared in the ordinance that Georgia presented as indispensable constitutional guarantees before she could remain in the Union, congressional inability to abolish or prohibit slavery in the territories, surrender of fugitive slaves, punishment of rescue of slaves from officers, protection of slave property like other property in the territories, the admission of new states with or without slavery as the people thereof wish; the right of transit and protection for slaves, and the prohibition of negroes holding Federal office. It was further ordained by the substitute that upon any attempt at coercion of the seceded states Georgia would join them in resistance; that Georgia would hold Fort Pulaski and other Federal property until her final decision; that Commissioners be sent to the other slave states; that if all efforts fail she will help form a Southern Confederacy, and that the convention adjourn to the 25th day of February, 1861, and concluding with the unalterable determination of Georgia to maintain her rights, equality and safety at all hazards, and to the last extremity.

The discussion over this issue was elaborate, able and eloquent. Judge Nisbet, Gov. Johnson, T. R. R. Cobb, Mr. Stephens, Mr. Toombs, Alexander Means, Augustus Reese, Ben Hill and Francis S. Bartow, all spoke. It was a discussion of giants. The secession champions were Nisbet, Cobb, Toombs, Reese and Bartow, and pitted against them in favor of further attempt at a friendly settlement of troubles, were Johnson, Stephens, Means and Hill. The key-note of the secessionists, as condensed by Mr. T. R. R. Cobb in a speech of remarkable power, was, "We can make better terms out of the Union than in it!" And Mr. Stephens gave it as his opinion, that this single, focal idea of Mr. Cobb, looking to a more certain re-formation of the Union on a higher vantage ground outside of the Union, did more in carrying the state out than all the arguments and eloquence of all others combined. The sound, unanswerable position of the anti-secessionists was enunciated by Mr. Stephens in the sentence, that "the point of resistance should be the point of aggression." Secession as a remedy for anticipated aggressions was not wise or politic, and these gentlemen opposing secession believed that Georgia, standing firm with the border states in an effort to obtain a redress of grievances, would succeed. It was a grand

debate over the grandest of themes, this discussion of superior minds, trained to controversy, upon a subject involving the happiness and welfare, not only of the commonwealth, but of the nation with its millions. The debate was historic, and deserves to be pictured for posterity. There is little doubt that it settled the issue—the mighty and appalling issue of war or peace. The destinies of a nation hung upon it. Had the milder policy prevailed, and Georgia been in the rôle of peace-maker, there is no telling how the end would have been. The conservative course was the wise one. It was too grave an issue and too awful a result to have been decided hastily, and not to have first exhausted every possible means of friendly adjustment in the Union. But a Higher Power was ruling the occasion. The great and mysterious ends of Providence were in process of fulfillment. The frenzy of revolution was on the people: the counsels of prudence were subordinated to the honorable resentment of a chivalric section, and the work of the emancipation of four millions of slaves progressed to its bloody and final consummation.

Ex-Gov. Johnson had moved the reference of the original and substitute to a special committee. After the debate the previous question was called and sustained, which brought the convention to a direct vote on Mr. Nisbet's secession resolution. The resolution was passed by a vote of 166 yeas to 130 nays, under all the circumstances a most extraordinary vote in its development of anti-secession views. The truth is, that some of the ablest and strongest intellects of the state and the convention opposed secession, and that measure was carried by so small a majority as to demonstrate how reluctant our people were to enter upon a violent course. Mr. Toombs was the undoubted head of the secessionists in the convention. His superb qualities of leadership, and his double leverage as a Senator in the United States and a member of the convention, with all the power and information that such senatorship gave him, equipped him for hastening the march of the revolution. He had made a speech in the United States Senate on the 7th of January, 1861, of surpassing power—a speech intended to put upon record the wrongs and the cause of the South—a speech of crushing logic and sublime eloquence. One by one he had in clear, forcible language laid down the demands of the South, and their foundation in solemn constitutional guarantees. He candidly made the striking admission, "that a very large portion of the people of Georgia prefer to remain in this Union with their constitutional rights—I would say ninety per cent. of them—believing it to be a good government." Unanswerably arguing

that the Constitution was the compact of union, he discussed every grievance of which the South complained in the light of the Constitution. The speech was full of magnificent bursts of thrilling eloquence. He concluded with this impassioned passage :

"These charges I have proven by the record, and I put them before the civilized world and demand the judgment of to-day, of to-morrow, of distant ages, and of heaven itself upon the justice of these causes. I am content, whatever it be, to peril all in so noble, so holy a cause. We have appealed, time and time again, for these constitutional rights. You have refused them. We appeal again. *Restore us those rights as we had them, as your court adjudges them to be*, just as our people have said they are ; *redress these flagrant wrongs*, seen of all men, and *it will restore fraternity, and peace and unity to all of us*. Refuse them, and what then? We shall then ask you, 'Let us depart in peace.' Refuse that, and you present us war. We accept it ; and inscribing upon our banners the glorious words, 'Liberty and Equality,' we will trust in the blood of the brave and the God of Battles for security and tranquillity."

Coming to Georgia with these grim words of war upon his eloquent lips, echoing their stern spirit over the whole country, and flaming men's hearts everywhere in the broad land, he took his seat in the sovereign convention of his great state, and there resumed the fiery mission of a nation's severance. It was a wonderful work, this disintegration of a gigantic government. And looking back from a twenty years' standpoint of time, one wonders that no prescience of the immeasurable miseries that followed were vouchsafed to the architects, the undoubtedly patriotic and pure-souled architects of that act of colossal ruin and destruction. God for his own good reasons allowed no prophetic revelations of the terrible future, and the revolution went on in which a noble people, in a sacred cause of self-government, were crucified for a humanitarian wrong, for which they were not responsible. Thus inscrutably does Providence forge out its great plans.

The secession battle was fought and whipped over Judge Nisbet's resolution. After its passage the colonial flag of Georgia was raised amidst a wild excitement. It was a short work to complete the act. Judge Nisbet promptly moved that the committee to report an ordinance of secession consist of seventeen members. It was carried. The President appointed the following gentlemen:

E. A. Nisbet, chairman; Robert Toombs, H. V. Johnson, F. S. Bartow, H. L. Benning, W. M. Brown, G. D. Rice, T. H. Trippe, T. R. R. Cobb, A. H. Kenan, A. H. Stephens, Jas. Williamson, D. P. Hill, B. H. Hill, E. W. Chastain, A. H. Colquitt, Aug. Reese. Immediately after the appointment of the committee a message was received from Governor Brown in response to a resolution calling on him for any information

in his possession that would facilitate the action of the body, furnishing the ordinance of Georgia ratifying the Constitution of the United States, and also a copy of resolutions of the New York legislature tendering aid to the President to uphold the Union. The committee reported the following Ordinance of Secession:

“AN ORDINANCE

“To dissolve the Union between the State of Georgia and other States united with her under a compact of Government entitled, ‘The Constitution of the United States of America.’

“We the people of the State of Georgia, in Convention assembled, do declare and ordain, and it is hereby declared and ordained;

“That the ordinance adopted by the people of the State of Georgia in Convention on the second day of January, in the year of our Lord 1788, whereby the Constitution of the United States of America was assented to, ratified and adopted; and also all acts and parts of acts of the General Assembly of this State ratifying and adopting amendments of the said Constitution, are hereby repealed, rescinded and abrogated.

“We do further declare and ordain, That the union now subsisting between the State of Georgia and other States, under the name of the United States of America, is hereby dissolved, and that the State of Georgia is in the full possession and exercise of all those rights of sovereignty, which belong and appertain to a free and independent State.”

On motion of Mr. Toombs the ordinance was twice read. Ben. Hill moved, as a substitute for the ordinance, the preamble and resolutions that had been offered by ex-Gov. H. V. Johnson. On this motion the vote stood 133 yeas to 164 nays, a slight gain in the anti-secession vote, though the motion was lost. Mr. Nisbet then moved the passage of the ordinance, and the vote stood 208 yeas to 89 nays, showing that 44 of the anti-secession members voted for the ordinance under the idea that its passage was a foregone conclusion and further opposition was useless, while it was necessary to give all the moral force possible to the act. Ben. H. Hill voted on this ballot for secession. But H. V. Johnson, the Stephens brothers, Gen. Wofford and Hiram Warner still voted against it. The announcement of the President, Mr. Crawford, that it was his pleasure and privilege to declare that the State of Georgia was free, sovereign and independent, was followed by an applause that was tempered by the gravity of thoughtful men over a step of serious and unknown import. The hour of the passage of this momentous ordinance was two o'clock P. M., the 19th day of January, 1861. The *Atlanta Intelligencer* a year after, recalling the event, thus described it:

“There was an exultant shout, and men breathed freer and looked nobler, and felt more like freemen who had burst the shackles that had enslaved them for years. From the hall of the House of Representatives the momentous event soon reached the vast and excited multitude outside, who had crowded to Milledgeville, most of them with the

patriotic intent to urge upon the convention Georgia's right and duty to secede. The people shouted, the bells were rung, the cannon roared, the city was illuminated, and great was the rejoicing."

Mr. Nisbet offered this resolution, which was adopted:

"*Whereas*, the lack of unanimity in the action of this convention, in the passage of the Ordinance of Secession, indicates a difference of opinion amongst the members of the convention, not so much as to the rights which Georgia claims, or the wrongs of which she complains, as to the remedy and its application before a resort to other means of redress:

"*And whereas*, it is desirable to give expression to that intention which really exists among all members of this convention to sustain the State in the course of action which she has pronounced to be proper for the occasion, Therefore :

"*Resolved*, That members of this Convention, including those who voted against the said ordinance, as well as those who voted for it, will sign the same as a pledge of the unanimous determination of this Convention to sustain and defend the State in this her chosen remedy, with all its responsibilities and consequences, without regard to individual approval or disapproval of its adoption."

At twelve o'clock on Monday, the 21st day of January, 1861, the ordinance of secession was signed in presence of the Governor and State House officers, Judges, and a throng of spectators, and the great seal of State attached. The delegates all signed the ordinance, but six of them did so under protest, which is as follows:

"We, the undersigned, delegates to the Convention of the State of Georgia, now in session, while we most solemnly protest against the action of the majority in adopting an ordinance for the immediate and separate secession of this State, and would have preferred the policy of coöperation with our southern sister states, yet as good citizens, we yield to the will of a majority of her people as expressed by their representatives, and we hereby pledge 'our lives, our fortunes and our sacred honor' to the defense of Georgia, if necessary, against hostile invasion from any source whatsoever.

JAMES P. SIMMONS, of Gwinnett.

THOS. M. McRAE, of Montgomery.

F. H. LATIMER, of Montgomery.

DAVIS WHELCHER, of Hall.

P. M. BYRD, of Hall.

JAMES SIMMONS, of Pickens.

"MILLEDGEVILLE, GA., January 22, 1861."

This decisive act of Georgia settled the revolution. Whatever doubts had existed as to the policy or purpose of the South as to secession were dissipated. The spirit of the Georgia convention, so riven as it was by a conflict of opinion as to disunion, and yet so conciliatory and harmonious in the final action, confirmed the effect of its example abroad. Committed to secession after a stubborn conflict and close division, the State was compactly welded in its cordial support of the adopted

policy. The ship was given to the lightning and the gale against the wishes of a powerful minority of her crew, but when the venture was made, every man leaped to his post for the storm, devoted, loyal, intrepid and invincible. The news of the action at Milledgeville was flashed over the wires, carrying the inflammable intelligence. It stirred the State to delirium. Ratification meetings were held every where. Guns were fired and orators spoke their burning words. The die was cast for war, and the chivalric spirit of a brave people gave back a unanimous and deep-souled response. In the sister states of the South the effect was electrical. That solid, staunch old Georgia should throw her splendid autonomy into the current of secession created a boundless enthusiasm, and the secession crusade became irresistible.

Looking at the motives that animated the people of Georgia in this most serious step, one must admit that they were pure, conscientious and chivalric. They believed they were risking life, property and honor for liberty and self-government—for a violated constitution, whose principles incarnated the genius of republican institutions. It was eternally to their honor that they staked so much for their convictions of right. That they failed in their cherished cause detracts nothing from their heroic devotion and sacrifice to truth. That they should have been used by Providence in the execution of a humanitarian reform but consecrates their heroism.

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PART II.

The Bloody Harvest of War.

CHAPTER XVIII.

THE PRINCELY PROSPERITY GEORGIA STAKED ON THE WAR.

Gov. Brown's Promptness.—The Seizure of the Augusta Arsenal.—Captain Elzey.—Col. Henry R. Jackson.—Col. Wm. H. T. Walker.—Work of the Convention.—The Delegates to Montgomery.—Commissioners to Southern States.—Their Reports.—The Address of the Convention, written by Mr. Toombs.—A Summary of Georgia's Condition.—Striking Statistics.—Her Exceptional Attitude.—Sixty-two Millions Growth in a Single Year.—A Romance of State Expansion.—A Flood Tide of Progress.—Gov. Brown's Marvelous Administration.—Georgia's Largest Measure of Material Advancement under His Rule.—An Increase of 176 Millions in Brown's Four Years.—An Amazing Growth.—Georgia had Ennobled Peace.—She was to illumine War.

FROM the date of Georgia's secession, events went forward swiftly. Gov. Brown with characteristic promptitude hastened to make practical the sovereignty of the State. The United States flag was still flying over the Augusta Arsenal. Captain Arnold Elzey was in charge of it, in command of eighty United States soldiers. During the heated public feeling before secession, the people were in great excitement over Federal occupation of the Arsenal. This excitement became almost uncontrollable when the Federal flag continued to float over the Arsenal after secession, and it was the all-absorbing theme of talk. Gov. Brown went promptly to Augusta, arriving there on the 22d of January, 1861. Colonel, afterwards Gen. Henry R. Jackson, accompanied the Governor as his aid. The following communication was addressed to Captain Elzey:

" AUGUSTA, GA., Jan. 23, 1861.

"CAPT. ARNOLD ELZEY, U. S. A., Commanding Augusta Arsenal:

"Sir.—I am instructed by his Excellency, Gov. Brown, to say to you that Georgia, having seceded from the United States of America, and resumed exclusive sovereignty over her soil, it has become my duty to require you to withdraw the troops under your command at the earliest practicable moment, from the limits of this state.

"He proposes to take possession of the Arsenal, and to receipt for all public property under your charge, which will hereafter be accounted for, on adjustment, between the State of Georgia and the United States of America.

"He begs to refer you to the fact that the retention of foreign troops upon the soil of Georgia, after remonstrance, is, under the laws of nations, an act of hostility; and he

claims that the State is not only at peace, but anxious to cultivate the most amicable relations with the United States Government.

"I am further instructed to say that an answer will be expected by to-morrow morning, at nine o'clock.

"I am Sir, Very Respectfully,
Your Obedient Servant,

HENRY R. JACKSON.

Aid de Camp, etc."

Captain Elzey refused to give up the Arsenal, and telegraphed the situation to the authorities at Washington, receiving at one o'clock at night this reply:

"WASHINGTON, Jan. 23, 1861.

"CAPT. ARNOLD, SECOND ARTILLERY, Commanding Augusta Arsenal, Ga.:

"The Governor of Georgia has assumed against your post and the United States an attitude of war. His summons is harsh and peremptory. It is not expected that your defense should be desperate. If forced to surrender by violence or starvation, you will stipulate for honorable terms, and a free passage by water with your company to New York.

"T. HOLT, *Secretary of War.*"

During the day of the 23d the volunteers of the city were ordered out, and some 800 troops responded. The refusal of Captain Elzey to surrender created the exciting prospect of a battle, and hence every man turned out that could raise a uniform and gun. Troops came in from the country. The companies out were the Augusta Battalion, companies A and B of the Minute Men and the militia, all under the immediate command of Lt. Col. Cumming. Brig. Gen. Harris had general direction, aided by Brig. Gen. Williams of Columbus. Col. Wm. Phillips was on the Governor's staff. Gov. Brown determined to make no hostile demonstration on the 23d, but to allow Captain Elzey a day for consideration. The troops were dismissed until the 24th, at nine o'clock, A. M., when they reassembled and were just about to march for the Arsenal, when Capt. Elzey sent the following communication, which caused a countermanding of the order to march.

"HEAD QUARTERS AUGUSTA ARSENAL, }
GEORGIA, Jan. 24, 1861. }

"Sir,—I have the honor to inform you that I am directed by Captain Elzey, commanding this post, to say, in reply to the demand of the Governor of the State of Georgia, made through you yesterday, requiring him to withdraw his command beyond the limits of the State: he begs to request an interview with his Excellency, the Governor, for the purpose of negotiating honorable terms of surrender at as early an hour this morning as practicable.

"I have the honor to be, very respectfully,
Your Obedient Servant,

J. C. JONES,

"TO COL. H. R. JACKSON, *Aid de Camp.*"

Lieut. 2d Art. A/ly.

At ten o'clock Gov. Brown, with Generals Williams and Harris, and his staff, Col. H. R. Jackson, Col. Wm. Phillips, Lt. Col. M. C. Fulton, Lt. Col. C. V. Walker, and Lt. Col. Henry Cleveland rode to the Arsenal, where the terms of surrender were agreed upon.

1. The United States flag was to be lowered and saluted.
2. The company to march out with military honors.
3. A receipt to be given for the property with a view to future adjustment.
4. The company to retain its arms and property, to stay in its quarters until withdrawal from the State, and to have passage to New York by Savannah. The State obtained a large quantity of valuable ordnance and munitions, among them a fine battery of two twelve-pound howitzers, two cannons, twenty-two thousand muskets and rifles, many of them of the best kind, and heavy stores of powder, grape and other ammunition.

After the arrangements were completed, a cordial exchange of friendly courtesies was had. Col. Wm. Henry Walker crossed the room and heartily shook hands with Capt. Elzey, assuring him that he had done all that a brave officer could. A silent embrace was Capt. Elzey's reply, and the incident filled with tears the eyes of those who witnessed the touching incident between these two old army friends, suddenly placed in hostile relations to each other. The two were at West Point together. Col. Walker was afterwards made a Major General in the Confederate army. He was the possessor of a courage that bordered upon the desperate. He was peculiarly unfortunate, having been frightfully wounded on three separate occasions in his service before the war, once being literally shot to pieces. He was finally killed in the battles around Atlanta.

The garrison was called out and the four field pieces used in firing the salute. Thirty-three guns were fired, one for each star on the old flag, Georgia included. The flag descended from the staff between the thirty-second and thirty-third fire. All of the officers of the company, and some of those with the Governor had seen active service under it. Col. Jackson through the Mexican war. As the flag fell from the staff, a deep feeling of pain and regret was entertained. Refreshments were ordered by Capt. Elzey, and a number of toasts were pledged, several of them deserving preservation. Col. Jackson offered this feeling and memorable sentiment: "The flag of stars and stripes, may it never be disgraced, while it floats over a true Southern patriot." This toast was warmly appreciated by the officers of the

Federal company, who were Southern officers. Governor Brown, while not drinking wine, proposed a toast to Captain Elzey, in which he paid that officer a merited and generous compliment.

Gov. Brown returned immediately to Milledgeville. At three o'clock Gen. Harris, with twelve of the Washington Artillery, and a squad of the Oglethorpe Infantry, proceeded to the Arsenal and took possession. At half past four the representative flag of Georgia was formally raised, a pure white banner with a large red five-pointed star in the center, the symbol and the emblem of the state's supreme sovereignty. Salutes were fired with two cannon belonging to the Washington Artillery; one gun for the sovereignty of Georgia; five guns for the seceded states; and fifteen for the prospective Southern Confederacy. In commenting upon Gov. Brown's judicious execution of this duty, the *Augusta Constitutionalist* complimented him upon the fact that he used every effort to preserve peace between the State and the United States, and it used these words: "Our State may well be proud of her Governor." It was apprehended at one time that bloodshed would ensue; but the prompt and overwhelming demonstration of force, giving time for a calm knowledge of the situation, resulted in the peaceable surrender of the post with its incalculably valuable stores for the great conflict so soon at hand. This episode added to the enthusiasm of the hour, and stimulated the war feeling. Captain Elzey afterwards became a General officer in the Confederate army.

The work of the State Convention proceeded rapidly. Ordinances were passed in quick succession, perfecting the details of sovereign rule, in regard to citizenship, the courts, inter-state slave trade, postal arrangements, and other matters. Delegates were elected to the Southern Convention to meet at Montgomery on the 4th of February, 1861. These were:

State at Large.—Robert Toombs and Howell Cobb.

1st District, Francis S. Bartow; 2nd District, Martin J. Crawford; 3d District, Eugenius A. Nisbet; 4th District, Benjamin H. Hill; 5th District, Augustus R. Wright; 6th District, Thomas R. R. Cobb; 7th District, Augustus H. Kenan; 8th District, Alexander H. Stephens.

This was a very strong delegation. Some complaint was made by the extreme secession press at the selection of B. H. Hill, A. H. Kenan and A. R. Wright, on account of their not having been secessionists. The Convention selected also Commissioners to send to Southern states that had not seceded. The persons chosen were:

For Virginia, H. L. Benning of Muscogee.

For Maryland, A. R. Wright of Richmond.

For Kentucky, H. R. Jackson of Chatham.

For Tennessee, H. P. Bell of Forsyth.

For Missouri, L. J. Glenn of Fulton.

For Arkansas, D. P. Hill of Harris.

For Delaware, D. C. Campbell of Baldwin.

For North Carolina, Saml. Hall of Macon.

Col. Henry R. Jackson declined to serve, and Dr. W. C. Daniell was appointed in his stead. W. J. Vason had been previously chosen as Commissioner to Louisiana, and J. W. A. Sanford, Commissioner to Texas.

Reports of their mission to these states were made by Campbell, Sanford, Wright, Hall, Daniell, Vason and Bell. Col. D. P. Hill, the Commissioner to Arkansas, proceeded to that state and remained three months at work, and did not return until Arkansas seceded, at which time the Georgia Convention had adjourned, and his report was never made. He labored faithfully, however, canvassing the state of Arkansas from one end to the other. Col. L. J. Glenn went to Missouri, but had a difficult time, meeting with much trouble in his mission. The reports of the Commissioners constitute a very interesting series of papers, and are embodied in the Journal of the Convention. Col. Campbell found in Delaware a Legislature hostile to secession, and hence limited his work to a brief letter to Gov. Burton, who transmitted it to the General Assembly without comments. Col. Campbell predicted that when Virginia and Maryland seceded, Delaware would do so. Ransie Wright, the Commissioner to Maryland, found Gov. Hicks of that state uncompromisingly opposed to secession, and if a disruption was made he favored a Central Confederacy, including New York, Pennsylvania, New Jersey, Delaware, Virginia, Missouri and Ohio, and was then in correspondence with the Governors of those states upon the subject. An unofficial convention of secessionists was in session in Maryland, but adjourned until some time in March. Col. Wright thought the people of Maryland would take the matter in their own hands and join the South. The letter of Col. Wright to Gov. Hicks was a very eloquent and able presentation of the issues involved.

The report of Samuel Hall, the Commissioner to North Carolina, represented a most cordial reception from the Governor, the legislature and citizens of that state. He addressed the legislature in a speech of elaboration and power, that concluded with an eloquent anticipation of the future glory of a Southern Confederacy. His mission was a success

in this, that the legislature submitted the question to the people whether a convention should be called. Dr. Daniell was able to do nothing in Kentucky. Wm. J. Vason, the Commissioner to Louisiana, addressed the legislature of that state, but found the state up to the neck in secession. Col. H. P. Bell, the Commissioner to Tennessee, found the people against secession, but Governor Harris was confident they would come to it in time. Col. Luther J. Glenn went to Missouri and faithfully executed his mission. He had a troublesome time, but overcame the difficulties manfully.

The Convention continued in session until the 29th of January, 1861, when it adjourned to meet in Savannah. A number of important matters were ordained, among them, the reduction of the Senate of the state to a body of forty-four members, as it has been ever since and is now. The Congressional Districts were increased from nine to ten. The Governor was authorized to raise two regiments of troops for state defense.

The address of the Convention upon the Ordinance of Secession as reported by Mr. Nisbet, chairman of the committee of seventeen, was written by Mr. Toombs, and was a masterly review of the causes that induced Georgia to secede. It is a clear, concise, ringing statement of the issue, pithy, concentrated and forcible. Arraigning the Republican party for its crusade against slavery, the great question of slavery is the burden of the paper. The address concludes in these sinewy sentences. The people of Georgia

"Know the value of parchment rights in treacherous hands, and therefore they refuse to commit their own to the rulers whom the North offer us. Why? Because by their declared principles and policy they have outlawed three thousand millions of our property in the common territories of the Union, put it under the ban of the Republic in the states where it exists, and out of the protection of Federal law every-where; because they give sanctuary to thieves and incendiaries who assail it to the whole extent of their power, in spite of their most solemn obligations and covenants; because their avowed purpose is to subvert our society, and subject us, not only to the loss of our property, but the destruction of ourselves, our wives and our children, and the desolation of our homes, our altars and our firesides. To avoid these evils, we resume the powers which our fathers delegated to the Government of the United States, and henceforth will seek new safeguards for our liberty, equality, security and tranquillity."

A summary of the condition of Georgia in the year 1860, the year before the great civil war, will not be out of place for the purpose of practically presenting the stupendous changes wrought by the revolution. The statistics are striking ones, and demonstrate how sturdily this powerful Southern State adhered to the Confederate cause in that

most gigantic strife of the world's history, and to what extent she devoted her men and means to what she espoused. It is a matter of well-grounded doubt if any State in the Union displayed greater heroism. And while she thus practically did her duty in sending her sons and giving her resources to the cause, she held a singular and exceptional attitude in firmly antagonizing every measure of the Confederate government that she thought an encroachment upon constitutional law and liberty. Her record in this particular is romantic and impressive in the extreme. She fought to the last some of the most pronounced measures of the Confederate government, arguing and protesting against their policy, and yet in every case giving the substantial aid called for under such measures. Amid the direst necessities of the conflict she sought to preserve the principles of a constitutional government. She gave men and money whenever called for, more than called for. She prided herself upon the promptitude with which she obeyed every requisition for soldiers. But she made a decided stand for the Constitution whenever she thought Confederate legislation invaded its principles or imperiled its integrity, and when the final history of the war comes to be written, several of her conflicts of argument with the Confederate government, conducted by her stern-souled Executive, will stand as historic constitutional land-marks. As will be seen hereafter, she was destined to be the theater of controlling gigantic operations for a long period, culminating in that famous "Sherman's march to the Sea," which quartered the ill-fated Confederacy and proved the most destructive blow the Southern cause received.

The statistics are taken from the report of the Comptroller General of the State, Col. Peterson Thweatt, an officer who instituted the splendid system, and has been noted for his accuracy and industry. The aggregate wealth of Georgia in 1860 was \$672,322,777. Some idea of the extraordinary progress Georgia was making at that period in material prosperity, may be understood from the fact that the gain of the state for 1860 over the year 1859, was the wonderful sum of \$62,732,901. Could there be a more striking example of growth? Over sixty millions in a single year. The fact reads like a romance. It suggests the sudden expansion of the golden Eldorados of the West. Georgia was marching forward with a giant stride. No wonder that she had won spontaneously the noble distinction of the "Empire State of the South." It was an honor due to her magical advancement, and her imperial resources. The details of her aggregate wealth showed the largest single element of wealth to be her slaves, 450,033 in number,

and worth \$302,694,855. Her land that paid tax was 33,345,289 acres, worth \$161,764,955. City property stood valued at \$35,139,415; money and solvent debts, \$107,336,258; merchandise, \$15,577,193; manufactories, \$4,034,252; other unmentioned property, \$42,427,295. Her polls were 99,748, which added to the voters not subject to poll tax, gave her fully 110,000 voters. Of free persons of color there were only 1,225.

There were 25 banks doing business in the State with a capital of \$17,000,000, of which they employed \$9,028,078. Savannah had nine of these banks using \$5,101,337 of capital, and Augusta six with \$2,675,000 capital. The State indebtedness was the small sum of \$2,670,750, and the assets consisted of the Western and Atlantic Railroad, which had cost \$4,441,532, and which paid into the treasury \$450,000 in 1860, or over ten per cent. interest upon cost, and other property worth \$807,025. The rate of taxation was then 6 1-2 cents on the \$100, making a revenue of \$400,000. The income of the state was not only adequate for the yearly expenses of every description, but even at the low rate of taxation, was furnishing a surplus fund for redeeming a large amount of bonds not due, anticipating the maturity of indebtedness. The prosperity of the State was something amazing. She was rushing forward with an accelerating sweep. It was a very flood tide of weal for a grand and expanding empire. The population was 1,023,801, of which the white part was 576,719, and the colored 447,082.

But in looking at the superb condition of Georgia in that eventful year of 1860, so remarkable for its luxuriant prosperity as well as for the inception of a strife that dashed the proud State into the very dregs of a woe and poverty as absolute and boundless as her former stately fortune, it is an act of justice to credit to the administration of Governor Brown its agency in this achievement of progress, whose details we have given. The statistics will show the striking fact that, from the beginning of the state government to the present time, with a record of some very brilliant periods of chief magistracy, Gov. Brown's régime of four years, from November 1857, to October 1860, gave to Georgia the largest measure of material growth she has ever had. This is vast praise, but it is due. These four years of Joseph E. Brown's executive management stand out the one unequaled and infinitely superior epoch of state progress. Like a towering pyramid amid an unbroken stretch of ordinary structures, this historical period of culminating power and splendor under the derided slaveocracy of the South,

is a grand monument to the administrative genius of our Governor from Gaddistown, the common-sense outcome and exponent of the Woolhat masses.

In 1856 the state's property was \$495,516,224, and in 1860, \$672,322,777, and the stupendous and unparalleled increase in four years, \$176,811,553. The first year the increase was 33 millions, the second year 11 millions, the third 70 millions, and the 4th 62 millions, making the amazing total of 176 millions in 48 months. It would be declared an incredible thing as a prospective achievement. It stands a consummated historic fact, proven by solemn official records, whose correctness has never been disputed. But let us look into the details of this unprecedented enlargement of wealth and power. Giving their proper credit to development and to an improved and more rigid return of property, the undeniable reality exists that in these magical four years the state grew with the expanding power of a giant under the positive brainful rule of Gov. Brown.

Slave property had increased 33,298 in numbers and \$92,260,221 in value; land had enhanced \$30,034,969; city property had grown \$8,957,798; merchandise had extended in commercial bulk, \$6,360,105; and money and good debts had swelled the huge amount of \$30,260,042. These are surprising figures, and create greater surprise, when it is remembered that Gov. Brown began his official rule at a time of bank suspension and commercial distress, in which he had formulated a policy of his own in contravention of the views of capitalists and trade kings—a policy looking alone to popular interest and the welfare of the masses. Not only this, but he boldly resisted a legislative doctoring of the financial evils that was in sympathy with the wishes of the financial monarchs, who were alone supposed to possess the ability to give relief. It was a daring attitude that he assumed, involving the restriction of bank privilege and the curbing of the money power. He was threatened with an "Illiad of Woes" for the state as the logical sequence of his theory, and it took a boundless degree of personal nerve to stand to his views in the face of such menace and prophecy of disaster. The result was out of all probability. A scheme of law, that while giving the broadest proper latitude to the transaction of bank capital which engineered commerce, at the same time restrained with an iron hand those illicit speculations that abused popular confidence and led to widespread financial distrust and ruin, was the very one to preserve the state from monetary trouble, and was the ideal of Gov. Brown, for which he fought and was savagely berated. That the state grew so marvelously and presented

such a development so rapidly after commercial depression, enhances the prestige of Gov. Brown's administration.

It must ever be a subject of profound regret that the unprecedented progress of Georgia was checked in the very hour of its increasing sweep. Looking back to the condition of Georgia in 1860, it would seem that Providence was making her and her people objects of especial favor. She was leading the South in substantial advancement. She was foremost in the national councils. She had a prodigal affluence of eloquence and statesmanship among her citizens, giving her power and fame. She had a future of immeasurable possibilities. It was in the line of her supremacy that she was so potential in precipitating the revolution. Her sublime energies from this culmination of her princely prosperity were to be henceforth directed to the mad destruction of war instead of the arts and aims of peace, in which she had made such incredible strides. The transition but illustrated her native greatness. Her genius had ennobled peace; it illumined war; and the very wreck that she left of her proud and peerless prosperity attested her courage, chivalry and patriotism.

CHAPTER XIX.

THE RAPE OF THE GUNS.

Gov. Brown's Audacious Reprisal upon New York.—The New York Authorities Seize some Georgia Guns.—Gov. Brown demands Them of Gov. Morgan.—No Answer.—The Seizure of New York Ships at Savannah by Henry R. Jackson.—Tart Correspondence between Governors Brown and Morgan.—The Guns Ordered Released.—The Ships Released.—The Guns Retained.—The Ships Re-Seized.—Spicy Press Comment.—Action of New York Legislature—Federal Congress and Confederate Congress—The Theme of National Discussion.—Gov. Brown's Pluck.—The Ships ordered Sold.—The Guns Released.—Justice Torn from Unwilling Hands.—The Confederate Congress Raped Brown.—The Augusta *Constitutionalist*.—Brown for Confederate President.—Georgia Holds Public Attention.

WE come now to an occurrence that gave basis to the most dramatic episode connected with Georgia's war record, a bold reprisal upon the State of New York, and which brought Gov. Brown to the attention of the people of the whole Union in a manner that made him for the time the most marked man of the day. It established his character permanently for resolute audacity and intrepid will. It added a flattering prestige to the State abroad, and fixed Gov. Brown, if possible, more firmly than ever in the popular esteem as the undeniable leader for the turbulent war times upon which we had fallen.

The firm of D. C. Hodgkins & Sons of Macon, had purchased two hundred guns in New York, and had them shipped on the steamer Monticello for Savannah. There were thirty-eight boxes of muskets altogether in the shipment, the balance over the two hundred, belonging it was said, to the State of Alabama. The New York police seized these guns on the 22nd of January, 1861, without any lawful authority, and placed them in the State arsenal. Hodgkins & Sons were notified of the seizure and immediately sought Gov. Brown, furnishing him proof of their ownership. The Governor first satisfied himself as to the justice of Hodgkins' claim, and then began a correspondence which grew to be very tart before it was finished, and involved a conflict between the Governors of New York and Georgia, the two "Empire States," that excited a deep interest, created a varied commentary over the whole country and resulted in a complete victory for Gov. Brown.

On Saturday, the 2nd of February, 1861, Gov. Brown sent the following dispatch to Gov. Morgan of New York in regard to the matter.

"EXECUTIVE DEPARTMENT, }
MILLEDGEVILLE, GA., Feb. 2, 1861. }

HIS EXCELLENCY GOV. MORGAN, Albany, N. Y.:

"Sir,—I have before me satisfactory evidence that two hundred muskets belonging to D. C. Hodgkins & Sons, citizens of this State, were placed on board the ship *Monticello*, at New York for Savannah, and were seized by the police of that city on or about the 22nd of January last, and taken from the ship and are now detained in the State arsenal in the city. As Governor of Georgia I hereby *demand* that the guns be immediately delivered to G. B. Lamar of New York, who is hereby appointed my agent to receive them. I trust no similar outrage may be perpetrated in future.

"You will oblige by communicating your decision immediately by telegraph.

"Very respectfully, your obedient servant,

"JOSEPH E. BROWN."

It perhaps will serve to show the temper of those days that the ordinary ceremonious etiquette between the chief magistrates of two great States was wholly waived, and the controversy at the beginning assumed the hard tone of the prevailing spirit of sectional bitterness. Polite phrases were dispensed with at once. Gov. Brown waited until Monday, the 4th of February, 1861, to hear from Gov. Morgan, but receiving no reply, he telegraphed the operator at Albany to learn if the dispatch had been delivered to Gov. Morgan. The reply was that it had. Upon this, Gov. Brown, with that decisiveness that he was wont to display under such, as well as all circumstances, issued the following order to Col. Henry R. Jackson, his aid de camp in Savannah:

"EXECUTIVE DEPARTMENT, }
MILLEDGEVILLE, GA., Feb. 5th, 1861. }
Half-past 9, P. M.

"I have demanded of the Governor of New York, the prompt delivery to my agent for D. C. Hodgkins & Sons, citizens of this State, of their guns, seized by the police of New York, on board the *Monticello*, and deposited in the arsenal of that state. The demand has been delivered to him. He has had a reasonable time and has made no reply. I am determined to protect the persons and property of the citizens of this state against all such lawless violence, at all hazards.

"In doing so, I will, if necessary, meet force by force. I feel it my duty in this case to order reprisal. You will therefore direct Col. Lawton to order out sufficient military force, and seize and hold, subject to my order, every ship now in the harbor of Savannah, belonging to citizens of New York. When the property of which our citizens have been robbed is returned to them, then the ships will be delivered to the citizens of New York who own them.

"JOSEPH E. BROWN.

"Col. H. R. JACKSON, Aid de Camp, Savannah, Georgia."

After the issuance of this order to Col. Jackson, Gov. Brown received

a dispatch from Gov. Morgan acknowledging the receipt of the first dispatch, alleging that certain arms had been detained in New York, but saying "its grave character and unofficial form forbid him from taking action in regard to it without better authenticated information." Gov. Morgan's dispatch concluded by saying that a response was given to enable Gov. Brown if the first dispatch was "veritable" to communicate his wishes by letter. The reply of Gov. Morgan was unfortunate in several respects, especially in connection with the prompt methods and unyielding temper of Gov. Brown. Such a dispatch to verify the authenticity of the first one could have been sent immediately. The delay indicated, what was afterwards shown, a disposition to trick in the matter. Gov. Brown was neither insensible to the discourtesy of silence, nor willing to lose his chances of redress by delay or subterfuge. The terms of the reply excited his suspicion of Gov. Morgan's fair dealing. Wary and resolved, he permitted Col. Jackson to proceed in making the seizure of vessels, so as to be upon perfectly equal terms with Gov. Morgan. A less firm or vigilant person would have acted on Gov. Morgan's evasive telegram, which probably was inspired by information of the order of reprisal.

On the 8th, Col. Jackson seized the following vessels: the brig Kirby; bark, Adjuster; brig, Golden Lead; schooner, Julia, and bark, Golden Murray. Col. Lawton effected the seizure. Detachments of the Phoenix Riflemen under Captain George Gordon were placed in charge of the ships, with instructions not to molest crew or cargo. On the 8th, the same day, Gov. Brown wrote fully to Gov. Morgan detailing the whole matter. After a recapitulation of the facts, Gov. Brown thus continued and concluded this plain-spoken letter.

"I am unable to perceive what reason you had to doubt that my dispatch was *veritable*. It was dated at the Executive Department and signed here by me. You also object to it on account of its unofficial form. It is not only dated at this Department, but I expressly state that I make the demand as *Governor of Georgia*. I am not aware of the additional language which your Excellency would consider requisite to give to a demand of this character official form!

"A lengthy official correspondence in this case is neither invited or desired. The outrage was a public one. Citizens of this state have been robbed of their property in your state by officers under your control. As the Executive of Georgia, I have demanded its re-delivery to its owners. My demand when met, has been met evasively, by raising a technical objection to its form, which has no foundation in fact, as a simple reference to the demand itself will show. The case is one, therefore, which requires action, not lengthy diplomacy. I have the honor therefore to notify your Excellency of the seizure of the vessels above mentioned under my order, and that I shall hold them until justice be done the injured citizens of this state, above named, by re-delivery of the

guns to them or to G. B. Lamar of New York, whom I have appointed my agent to receive them. If the property seized as reprisal belongs to citizens of New York, who are friendly to the cause of justice and truth, and the equal rights of the people of the Southern states, I shall regret the inconvenience to which they may be exposed.

"I cannot forget, however, that my first duty is to protect the citizens of this State against the lawless violence of the officers or citizens of other states. If, in so doing, incidental injury should be done to orderly and law-abiding citizens of such offending state, for just and full indemnity they must look to their own government, which has brought the injury upon them.

"I trust your Excellency may have no difficulty in arriving at the conclusion that this communication is 'official' and 'veritable.'"

At the hour of nine o'clock P. M., on the 9th of February, the day after his letter was written to Gov. Morgan, and before it was received, Gov. Brown received this telegram:

"NEW YORK, Feb. 9, 1861.

"The arms have been put at the command of the owners here: please release all vessels.

"G. B. LAMAR."

Upon receipt of this dispatch Gov. Brown telegraphed to Col. Jackson:

"I have just received a telegram from G. B. Lamar, my agent in New York, stating that the arms have been put at the commands of the owners. The object for which the seizure was made having been accomplished, and the rights of the citizens of this State having been vindicated, you will order vessels seized to be immediately released."

Gov. Brown also replied by telegram to G. B. Lamar that he had ordered the release of the vessels. But the matter was not to end here. The subject was very fully discussed, and especially the law of reprisals. The Governor's authority to resort to this arbitrary remedy was clearly shown by quotation from Vattel's "Law of Nations." The *Savannah Republican* took issue on the matter with the Governor, and condemned his course as hasty, and endorsing Gov. Morgan's action in requiring the dispatch to be authenticated. Public sentiment in the State was, however, almost unanimously in favor of Governor Brown's action, and there was much tart commentary on the *Savannah Republican*. Out of the State the Governor was highly commended. The *Charleston Courier* said he was "the man for his place and for the times." The *Richmond Dispatch* said there was a "broad grin over everybody's face at the lightning-like rapidity with which the New York police *let go the guns*." The *New York Herald* dubbed Gov. Morgan's act as "the climax of absurdity, folly and political iniquity," and further declared that:

"Gov. Brown will find an abundant justification of the act he has ordered in the responsibilities of his position, and in the necessity of indemnifying private citizens, who are his constituents, for an unwarrantable robbery committed by our police, for which they could obtain no other redress. It is the very nearest thing to a civil war,

but let the blame rest where it belongs, upon the Republican Executive of New York, whose atrocious usurpation of powers that do not belong to him, has led to such a sad result."

The New York *Herald* of the 8th contained a paragraph that Gov. Morgan assumed that the arms were intended to be used against the Federal government, and felt bound by his official oath to interfere. And such was, undoubtedly, his motive, and he was sustained by the Republican press of the North. Mr. Toombs telegraphed from Milledgeville to Fernando Wood, mayor of New York city, asking about the seizure, and saying, that a reply was important to us and to New York. Mayor Wood replied, that the seizure had been made, but that the city of New York should in no way be held responsible for the outrage. As mayor he had no authority over the police. If he had the power, he said, he would summarily punish the authors of the illegal and unjustifiable seizure of private property. A dispatch was also sent to Cromwell & Co., agents in New York of the steamer Monticello, from parties in Savannah, stating that the seizure of the arms had created excitement, and asking if they could not get the arms back, as retaliation was feared. The matter stirred so much public interest, that it was made the subject of a resolution in the New York Legislature, requiring the metropolitan police commissioners to report to the House by what authority, if any, they ordered the seizure and detention of the arms. The resolution, however, was voted down. Henry C. Wayne, Adjutant-General of Georgia, addressed a brief communication to the New York *Herald*, correcting the erroneous statement, that the State of Georgia had purchased the arms.

Early after the seizure, the law firm of Munn & Parsons of New York, representing W. H. D. Callender, cashier of the State Bank of Hartford, Conn., demanded of Mr. Kennedy, superintendent of the police, the arms. Kennedy referred the matter to his counsel, and finally peremptorily refused the demand, and a writ of replevin was served upon him, when he placed the arms in the custody of Sheriff Kelly. The agents of the seized ships were in constant telegraphic communication with their owners in New York. Mr. G. B. Lamar was notified of Gov. Brown's purpose to seize the ships, and was preparing a dispatch advising against the course when he received information of the seizure. In Washington, Congress took up the matter, Hon. John Cochrane of New York offering a resolution directing the Secretary of the Treasury to inform the House, whether he had any official information on the subject, and he further gave notice of his purpose to call up and press

to a passage a bill previously introduced, providing for the protection of the commercial interests of the nation against flagitious attacks upon them by the seceded states.

The matter, it will be seen, was for the time the theme of national discussion, as well as of home interest. It was even molding national legislation. But in spite of promises it was unsettled, and it was destined to test still further Gov. Brown's pluck and persistence, and evoke Confederate legislation against Gov. Brown's course, which was as powerless as all the other agencies at work to stop the resolute Executive in his protection of Georgia citizens and Georgia rights. Mr. Lamar was informed that the guns were at the command of their owners and, as has been stated, so notified Gov. Brown, who ordered the release of the ships. Mr. Lamar waited upon Mr. Kennedy, and to his surprise was informed that he had changed his mind and would not deliver up the arms to any person except the sheriff, until compelled to do so by law, and would also make further seizures of "contraband articles." The New York *Herald* announced the delivery of the arms, but the New York *Tribune* denied that they had been given up, probably acting on partisan information.

In this state of things Governor Brown met the new issue as squarely as he had the old one. He instantly ordered another seizure of vessels. There appears to be well-grounded doubt for implicating Gov. Morgan in the treachery that was used, and the retention of the arms after their delivery had been agreed upon. In fact he denied to a *Herald* reporter that he had ever ordered any seizure at all of the arms, and expressed the opinion that the whole thing had originated in a late charge of Judge Smalley to the grand jury. And a letter was published alleged to have been written by him to Funch and Meineke in New York city, owners of the bark "Adjuster," at the first seizure, advising them to go into the courts for their rights, giving the opinion that the retaliation was unjustifiable, and that if indemnity could no where else be obtained, the Federal government itself would in a last resort be liable. The *Herald* was disposed to place the responsibility either upon Superintendent Kennedy or the police commissioners, to whom he owed his appointment.

Gov. Brown's second order of seizure to Col. Henry R. Jackson was issued on February 21st, 1861. His letter of instructions was quite full, going with considerable detail into the occurrence. In this he stated that Mr. John Boston, the collector of the port of Savannah, had received word that the guns had been delivered up. He also

referred to Gov. Morgan's silence on the subject. It was clearly evident that it was the settled policy of the New York authorities to subject Southern commerce to a dishonorable surveillance, and to seize our property and plunder our citizens at their pleasure. He added these strong and manly words:

"Under these circumstances I feel that I, as the Executive of Georgia, would prove recreant to the high trust reposed in me by my fellow-citizens, were I to refuse to protect their rights against such unprovoked aggression, by all the means which the law of nations, or the constitution and laws of this state have placed at my command. It therefore becomes my duty again to direct you to call out such military force as may be necessary for that purpose, and to renew the *reprisals* by the seizure, as soon as practicable, of vessels in the harbor of Savannah, or other property in the city, or elsewhere within your reach, belonging to the state, or to citizens of New York, at least equal in value to double the amount of the original seizures made by you. You will hold the property so seized, subject to my order; and it will be released when the guns in question (together with any other property of our citizens which has been or may in the meantime be unlawfully seized by the authorities of New York) are actually shipped from the harbor, and are beyond the reach or control of the police of the city of New York or the authorities of that state."

In response to this order Col. Jackson seized three ships, the Martha J. Ward, the bark Adjuster and the brig Julia A. Hallock. Gov. Brown then wrote on the 25th of February, 1861, to Gov. E. D. Morgan, notifying him of the new seizure, and concluding with this information of the additional steps he should take:

"Should I fail to receive official information from your Excellency, prior to the 25th March next, that the guns above mentioned have been delivered to their rightful owners, or to G. B. Lamar, my agent, and that he has been permitted to ship them from the Port of New York to Savannah, I shall on that day, cause the vessels above named, to be sold in the City of Savannah, to the highest bidder, and out of the proceeds of the sale I shall indemnify the injured citizens of this state against the loss sustained by them on account of the unjust and illegal seizure and detention of their property by the authorities of New York. That you may not fail to receive this notice, it will be sent to you at Albany, in duplicate, by different mails."

Of the three vessels last seized the bark Adjuster was freighted with a cargo of cotton belonging to British and Russian subjects. Proof of this was furnished to Col. Jackson and by him forwarded to Gov. Brown, who at the intercession of the representatives of the British and Russian governments, permitted the bark to be released and proceed to sea instead of compelling them to unload and seek another ship. This was done to cultivate friendly relations with foreign powers and throw no obstructions in the way of foreign commerce. This release of the bark Adjuster was made on the 28th of February, 1861. On the 2nd of March, 1861, executive order was issued to Col. Jackson to adver-

tise the two remaining ships for sale on the 25th of March for cash. The advertisement of the sale was published, and would have been carried out, but on the 18th of March, G. B. Lamar telegraphed that the ten cases of arms had been delivered and were on their way to Savannah. Discerning that they were powerless against Governor Brown's summary and unalterable methods, the New York authorities wisely gave in and released the guns. The Governor, on the 22nd of March, upon entirely satisfactory proof of the release of the guns, concluded this novel altercation by ordering Col. Jackson to release the vessels. The order ended with these characteristic words:

"It is to be hoped that the annoyance and losses to private interests occasioned by the lawless, unprecedented and wholly unjustifiable conduct of the New York authorities, and the ultimate vindication of the right by the steps I have been constrained to take, will prevent the recurrence of any like complication in the future."

The Provisional Government of the Confederate States had been organized on the 9th of February, 1860, and the Provisional Congress was in session in Montgomery. This Congress condemned the action of Governor Brown in seizing these vessels, on the ground that it was wrong in Gov. Brown to take such independent State action, as this was the province of the Confederate government. It is needless to say that the censure weighed not a feather in the estimation of the intrepid and independent Executive of Georgia, whose action was based upon a careful and deliberate investigation of his authority, and under a sense of duty as to the protection he owed the citizens of Georgia. Nor did it swerve him one hairs-breadth from his course. It was a specimen of his practical and direct ways that he went straight to results. While the Confederate states' authorities with the multiplicity of great matters upon them, would have necessarily treated this as a minor affair, and pursued it leisurely and with ceremonious diplomacy, sending special envoys and using elaborate manifestoes, Gov. Brown took the short path to success, and wasting time upon no formalities or circumlocution, he made his peremptory demand, and when it was refused, enforced it with an iron-handed retaliation that asked no favors and granted none, but tore justice from unwilling authority.

The matter was pending from the 22d day of January to the 22d day of March, 1861, just two months, and engrossed as the public mind was with the secession of states, the disintegration of the Union, and the formation of a new government, this striking controversy between the two leading states of the hostile sections, involving sacred rights and testing strong remedies, held the popular thought and even evoked the

official consideration of both national governments. Some idea can be formed of how Gov. Brown's conduct in the affair impressed men from a lengthy editorial in Mr. Gardner's paper, the *Augusta Constitutionalist*. This editorial began by saying that the distinguished gentleman who occupied the Executive chair of Georgia had made sundry marks upon the records of the present, that time will not readily erase, and which the pen of the historian of those days will not forget to copy. It reviewed some of his leading acts of rule. Among other things it showed how, when events were crowding upon each other's heels, and while the Federal administration was amusing South Carolina with empty pledges and really occupying the impregnable walls of Sumter, Governor Brown, without the firing of a gun, displaced the Stars and Stripes, wherever they floated on Georgia soil. It took up the last act of the Governor in his daring reprisal upon New York. It referred to the charge that had been made, that Gov. Brown had, in this, made a political move for the Presidency of the Southern Confederate States. It showed that even the New York *Herald*, the leading journal of the Western world, had in an able discussion of the matter, shown that the policy of reprisals had been conceived and urged upon the legislature of Georgia, by Gov. Brown, in his famous special message on the crisis, and that he was acting in conformity with a settled policy. This editorial was remarkable in its unqualified tribute to Gov. Brown's statesmanship, as coming from a paper owned by a defeated rival for the governorship and which had persistently fought him. It declared that Georgia was indebted to South Carolina for this superb Governor, and it used this culminating language:

"He may reasonably expect anything, for from the poor boy of Pickens, South Carolina, he became a Georgia lawyer of good reputation, the Judge of the Superior Court of the Blue Ridge Circuit, then Governor of Georgia; Governor again by the largest majority ever given in the State; and as a distinguished Congressman once remarked to us, 'We might as well send him to the Senate, and nominate him for President, for he is bound to go through, and that will be the quickest way to get rid of him.'"

CHAPTER XX.

THE BIRTH OF THE CONFEDERACY AND THE SHADOW OF WAR.

Georgia Congressmen Withdraw.—Joshua Hill Resigns.—Southern Convention—Howell Cobb its President.—Georgia Leading.—Toombs and Tom Cobb governing spirits.—Jeff Davis, President, A. H. Stephens, Vice-President.—Martin J. Crawford, Commissioner to the United States.—His Mission Ending in a Haughty Defiance.—Brown's Vigorous War Preparations.—The Leap to Arms.—Georgia War Appointments.—Davis Speaks through Georgia.—The First Confederate Flag in Georgia.—Capt. G. W. Lee.—The Secession Convention in Savannah.—George W. Crawford's Exquisite Speech.—The Spirit of the South.—Fighting Providence.—Troops Organized.—Guns Ordered.—The Seizure of the Dahlonega Mint.—Old Harrison Riley.—Gov. Brown's Admirable Tact in Dealing with the North Georgia Union Sentiment.—The United States Flag in Pickens County.

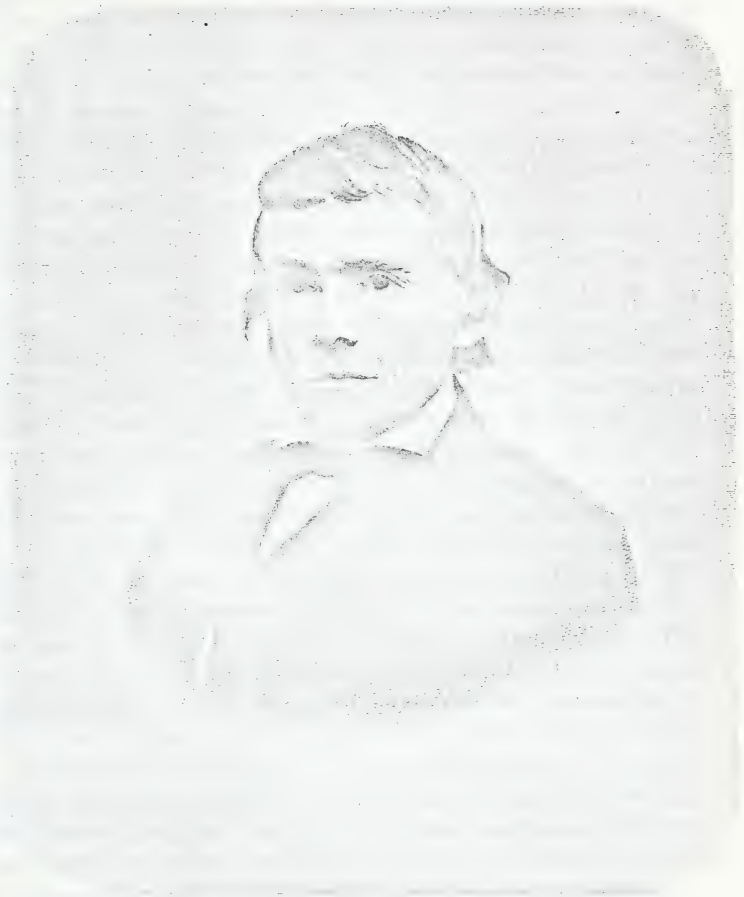
On the 23d day of January, 1861, all of the Georgia Representatives in Congress, except Hon. Joshua Hill, withdrew from the body in a letter addressed to Hon. William Pennington, Speaker of the House. The letter recited the fact of Georgia's secession, quoting the ordinance and concluded thus:

"The sovereign State of Georgia, of which we are representatives in this House, having thereby dissolved the political connection between that State and the Government of the United States, and having thereby repealed the ordinance of 1788, by which the Constitution of the United States was ratified, and having resumed all the powers delegated to the Federal Government, we hereby announce to you that we are no longer members of the House of representatives of the United States Congress. Martin J. Crawford, Peter E. Love, Thomas J. Hardeman, Jr., Lucius J. Gartrell, John W. H. Underwood, James Jackson, John Jones."

Hon. Joshua Hill did not withdraw, but resigned in the following brief letter to Mr. Pennington, dated the 23d of January, 1861, also.

"Sir,—Satisfied as I am, that a majority of the convention of the people of Georgia, now sitting, desire that the State should no longer be Represented upon this floor, I in obedience to this wish of the people's representatives, hereby resign the seat I hold as a member of this House."

Mr. Hill, upon the seizure of Fort Pulaski by Gov. Brown, had made a speech in opposition to this action of the Governor. This speech was made in Congress, and on the 24th of January a large number of citizens of Geneva, Talbot county, assembled and hung Mr. Hill in effigy



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for this speech. Gen. Scott was also burned in effigy by the students of Franklin college. Mr. John Boston, collector of the port of Savannah, resigned his place. The flag of Georgia was immediately hoisted on the staff over the custom house by Major Lachlan McIntosh, who had resigned from the United States army. The flag raised was of a neat design, bearing the coat of arms of the State, surmounted by six stars, the number of the seceded states. Over the whole was an eye. The flag was white, with the stars all deep red save Georgia, which was blue.

At 12½ o'clock on the 4th day of February, 1861, the convention of the seceded states met in Montgomery, Alabama. Hon. Howell Cobb was made permanent president, and J. J. Hooper of Alabama, secretary. Georgia, Florida, Alabama, Louisiana, Mississippi and South Carolina were represented. A provisional government was formed; and on the 9th of February, 1861, Jefferson Davis was elected Provisional President, and Alexander H. Stephens Vice-President. There is no doubt but that Mr. Toombs was expected to be the President. The Georgia delegation held a meeting, all being present except Mr. Hill and Mr. Wright, and agreed to present the name of Mr. Toombs. It was subsequently rumored that Mr. Toombs said his name was not to be presented, and it was then determined, if this was true, that the Georgians would support Mr. Davis for President, and Mr. Stephens for Vice-President. The motion to put Mr. Stephens in the second place, if Mr. Toombs should not be presented for the first office, was made in the Georgia delegation by Mr. Kenan and seconded by Mr. Nisbet. The name of Howell Cobb was also spoken of, but some of the delegations from Carolina, Florida and Alabama, who heard of the proposition to elect Mr. Cobb were unwilling to support him on account of old party conflicts. Mr. Toombs did forbid the use of his name, and Davis and Stephens were unanimously chosen. It will thus be seen that Georgia carried into the new Southern movement the same controlling influence that she had been accustomed to wield, furnishing a President for the convention, two strong men for the Presidency of the Government, and the Vice-President of the Confederacy. Mr. Toombs and Thomas R. R. Cobb were the leading spirits of the committee to draft a constitution for a permanent government, and Mr. Bartow, chairman of the military committee. On the 18th of February, 1861, Jefferson Davis was inaugurated as Provisional President, and he made Robert Toombs his Secretary of State. A commission of three persons was appointed by Mr. Davis under resolution of the Confederate Congress, to go to Washington and negotiate friendly relations with the United States

Government. This commission consisted of Hon. Martin J. Crawford of Georgia, John Forsyth of Alabama, and A. B. Roman of Louisiana. Mr. Crawford of Georgia was the leading spirit in this important commission, clothed as it was with powers of the broadest extent and most delicate responsibility, in the settlement of the great and difficult questions that involved the two governments.

Mr. Crawford and Mr. Forsyth proceeded immediately to Washington, arriving there just as Mr. Buchanan was about retiring from office. On the 12th of March, 1861, they addressed a communication to Mr. Wm. H. Seward, Secretary of State under President Lincoln, notifying him of their mission and asking the appointment of an early day to present their credentials and enter upon their duties. On the 15th of March, Mr. Seward prepared what he termed a "Memorandum," declining official intercourse with Messrs. Crawford and Forsyth. Under various pretexts and infinite duplicity the decision of Mr. Seward was withheld and the commissioners deceived until the 8th of April, when it was delivered to them, they remaining under pledges that Fort Sumter would be given up to the South, and a peaceful solution of troubles be made. The commissioners on the 9th of April addressed a reply to Mr. Seward—a powerful, incisive document, in which they clearly set forth the attitude of the seceded states, and the duplicity that had been shown to them. They declared that the refusal to entertain their overtures connected with concurrent action of the United States government was viewed by them, and could only be received by the world, as a declaration of war against the Confederate States. They climaxed this declaration with these haughty words:

"The undersigned, in behalf of their government and people, accept the gauge of battle thus thrown down to them; and appealing to God and the judgment of mankind for the righteousness of their cause, the people of the Confederate States will defend their liberties to the last against this flagrant and open attempt at their subjugation to sectional power."

Georgia was still in the lead of this great revolution. Her destiny seemed inevitable for a foremost agency in the now certain strife. It was through one of her bold sons that a peaceful solution of the matter was sought, and when that failed, that the prompt, ringing, defiant acceptance of the issue was with heroic emphasis and a lofty spirit formulated to the foe and the world. The war was a settled fact. The retention of Sumter, the war-like preparations and the refusal to treat with the Southern Commissioners, were simply the preface to the bloodshed so soon to come. Both sides girded for the fight. Georgia espe-

cially, under her prompt and thorough-going Governor, went to work in dead earnest, getting ready for genuine war. The people, though they had been divided in the policy of disunion, rallied to the cause when it was decided. There was a considerable union element in the mountain section that clung to the Federal government, and that stood stubbornly union to the end. It was quite a liberal sprinkling of the citizens populating the hilly belt far from the railroads, but with this exception the million of Georgia inhabitants backed loyally the Southern cause. Voting not much over 100,000 citizens, the state of Georgia gave 120,000 soldiers to the war, or 20,000 excess of her voting population. This constitutes a wonderful record of chivalry, not surpassed in the world's history.

The war flush was on the state, and there was a good deal of demonstration of enthusiasm, but with a settling of the public mind to the business of fighting, there came a deeper real intensity, more quiet. We felt the heat, but the flash diminished. Men, too, were right noisy over the situation. There was much flurry, and occasionally the enthusiasm boiled over, but the consciousness of serious work ahead made thinking people serious, and toned down the effervescence. There was an unbounded confidence in the future, save among a few. The leaders believed in success. The masses exaggerated the ease of whipping out the North. There was a curious and strange undervaluation of the so-called Yankee as a fighter, the belief prevailing that one sturdy Southerner could vanquish several Northerners. This idea prevailed largely, and gave an over confidence to our soldiers. Such men as Herschell V. Johnson and John E. Ward doubted the final success and were profoundly depressed. But the general feeling was buoyant and hopeful. Gov. Brown promptly proceeded to organize the two regular regiments authorized by the Convention. He appointed as Colonels, William J. Hardee and Wm. H. T. Walker; Lieutenant Colonels, Chas. J. Williams and E. W. Chastain; Majors, L. B. McLaws, Wm. M. Gardner, Alfred Cumming and E. R. Harden. Among the other officers appointed were Joseph Wheeler, afterwards Lieutenant General of Cavalry, W. W. Kirkland, R. H. Anderson, Alfred Iverson, Jr., Geo. P. Harrison, Jr., and J. Alexander, Brigadier Generals, and P. M. B. Young, Major General.

Jefferson Davis came through Georgia on his way to Montgomery, to be inaugurated as President of the Confederacy. His trip from Chattanooga to Atlanta, and thence to Montgomery, was an ovation. At Ringgold, Dalton, Resaca, Adairsville, Cartersville and Marietta he

was greeted by crowds. Atlanta sent a delegation to meet him, of which Dr. W. F. Westmoreland was a member. Bartow county was then called Cass county, and its name was afterwards changed in honor of Francis S. Bartow. Mr. Davis made a speech at Cartersville which he thus commenced.

"Georgians—for by no higher title could I address you—your history from the days of the Revolution down to the time that your immortal Troup maintained the rights of your State and of all the states, in his contest with Federal usurpation, has made Georgia sacred soil. Nor have you any reason to be other than proud of the events recently transpiring within your borders, and especially the action of your present Governor in wresting from the robbers of the North the property of your own citizens which they had stolen. His promptitude in demanding the property from the Governor of New York, and in seizing the vessels of citizens of New York, when the demand was not immediately complied with, is worthy of all praise."

In Atlanta the demonstration was a magnificent one. Over 5,000 people gave him a reception. Mayor Jared I. Whitaker introduced him to the vast concourse. In his speech he paid high tribute to Georgia. At every point on the Atlanta and West Point railroad crowds gathered to do him honor. At Newnan, Miss Barney Dougherty was delegated to present him with a large bouquet. On the 5th day of March, 1861, the first Georgia company was tendered for the Confederate service and accepted. It was an Atlanta company called "Lee's Volunteers," and commanded by Capt. G. W. Lee. In connection with this event, the flag of the Southern Confederacy was first raised in the State of Georgia. Capt. Lee was returning from Montgomery to Atlanta after his mission. The passengers obtained at Grantville the requisite material, and the flag was made on the train between Grantville and Fairburn, by Mrs. W. T. Wilson and Mrs. H. H. Witt of Atlanta, Miss L. Smith of Albany, Ga., Mrs. Chas. Wallace of Knoxville, Tenn., Mrs. R. F. Butt of New Orleans, and Mrs. S. A. Awtry of Cusseta, Ala. Col. W. T. Wilson presented the flag to Capt. Lee in a stirring speech, to which Capt. Lee replied eloquently. Judge Blalock of Fairburn, and J. W. Beal of Lagrange also spoke. Capt. Lee paraded in Atlanta the next day with his company under this flag, which was an exact copy of the first flag of the Confederate States that had been raised in Montgomery, on the 4th of March, 1861. The flag was composed of a blue union with seven stars in a circle, representing the seven Confederate States, with three equal horizontal stripes of red, white and red. The incident created much enthusiasm.

The Georgia Secession Convention resumed its session in Savannah, on the 7th day of March, 1861, and continued its deliberations until Sat-

urday, the 23rd day of March, when it adjourned *sine die*. The Constitution was unanimously ratified on the 16th day of March. The Governor was authorized to raise and expend all of the funds necessary to carry out the acts for public defense, both by issuing bonds and Treasury notes. Resolutions were passed offering to cede ten miles square of territory for a capital and permanent seat of government for the Confederate states. The control of military operations, and forts and arms was transferred to the Confederate government. A new *statè* constitution was adopted. The president of the convention, ex-Gov. George W. Crawford, made an address upon its adjournment, brief, but with some very strong and sententious expressions. Complimenting the body upon its dignity, he thus continued:

"When first assembled there was less disagreement as to the burthen of our grievances than to their remedy, and especially as to the time of its application. Happily, conciliation produced concord. When our common patroness spoke, her sons, less from opinion than instinct, forgetful of the past, and mindful of the future, rallied to the rescue. Claspng each other with a fraternal grasp, they were less intent on sharing in the glory than participating in a common peril and a common destiny. Thus may the sons of Georgia ever be.

"You have overturned a government which had become sectional in policy and sectional in hostility. It had lost nationality, and the first requisite of every government—that of protection of person and property. True you have overthrown the Federal Union, but you have preserved the Federal Constitution. You have retained ancestral wisdom in the formation of your government, separated only from those abuses which experience has developed. In short you have effected a political reformation."

These words, so happily chosen, so concisely and clearly put, are remarkable in the definition they present of the loyal devotion of our people to the idea of our constitutional government. Never were any people more faithful to a principle than the South was in the late war to the genius of true republican theory—to the very incarnation of chartered liberty. It must stand as an unalterable truth, that the millions of the South tried to shatter the Union, the better to preserve the constitution and its holy principles. No men were ever truer to the spirit of a government than the seceding Southerners. They understood and felt, and believed its doctrines, and they sought to enforce them when they conscientiously deemed them in danger. And so the verdict of a just and impartial posterity must be. They miscalculated the method, and they staggered under the incubus of slavery, which closed to them the practical sympathy of the world, as well as that higher and more valuable support, the aid of the Divine Providence. Weaker people than ours have conquered more formidable odds. Our defeat must ever be incredible in the light of the glowing history of successful human

resistance. But in the illumination of a great Providential plan to uprear a million-rooted evil against human freedom, our failure is lustrously explicable. We fought, not men, but a Providential destiny.

The convention turned over matters of arms and soldiers to the Confederacy, but Gov. Brown was too provident to cease his organization of State military. He continued to organize the volunteer force. He contemplated creating two divisions, appointing Col. Henry R. Jackson Major-General of the First division, and Col. Wm. H. T. Walker Major-General of the Second division; and Paul J. Semmes of Muscogee and Wm. Phillips of Cobb, Brigadiers. Only one division was found practicable, and Gen. Walker was appointed to command it, Gen. Henry R. Jackson generously relinquishing his own chances and urging Walker for the command. Gov. Brown had contracted with an iron company in Pittsburg, Pa., for a large number of cannon of large caliber and long range for coast defense, but when the guns were made, such was the prejudice of the people of that city against the seceding states, that the contractors declined delivering the guns and abandoned the contract. The Governor gave a new contract to the Tredegar Iron Works of Richmond, Va., and procured these guns from that source. In order to stimulate the building of a foundry for casting cannon, the convention passed an ordinance offering a bonus of \$10,000 to any one erecting such a foundry as could furnish three guns a week, and should make a 10-inch columbiad at an early day.

The United States mint at Dahlonega, which had some \$20,000 of gold coin belonging to the United States government, was taken possession of in a way that demonstrated the discrimination that Gov. Brown exercised in his difficult rôle at this time. Reference has been made to the Union sentiment existing among the mountain people. At the time the secession ordinance passed, Gen. Harrison W. Riley, a leading politician of Lumpkin county, declared that he meant to seize and hold the mint for the United States. The bold avowal created some excitement and alarm, as the extent of the Union feeling in North Georgia was not known. Gov. Brown was intimately acquainted with the people of that section and knew precisely how to deal with them. The convention promptly passed an ordinance making it treason for any person to be concerned in any attempt to give aid to the enemies of the State. Gov. Brown did not deem it advisable to make any show of military force in the mountain section, but thought it best to trust to the patriotic spirit of the masses there. Gen. Riley, while a very illiterate man, was a very influential one; a bluff, eccentric, determined spirit, with a wonderful

local popularity. The report of his threat to seize the mint was telegraphed to Gov. Brown, and a strong pressure was brought to bear upon him, by several leading men of the State, to send troops at once and secure the mint by force, and not permit the rebellious old Riley to get a foothold. The Governor knew Riley well from his boyhood, and was satisfied that a very large element in his course was a desire to attract notoriety, and that he was too shrewd to undertake a rebellion against the State in North-east Georgia, unless advantage was given him; and that with so large a proportion of Union sentiment as there was in that section of the State, if any difficulty was raised with Riley about the mint, the popular sympathy would have been with him, and there would have been serious trouble. Gov. Brown stated this to the gentlemen who approached him on the subject, and told them as he knew Riley well and had been partly raised in that section of Georgia, he would manage the matter rightly if they would leave it to his discretion. A few days afterwards the Governor wrote to several prominent citizens of Dahlonega, telling them that he had heard such a report in reference to Gen. Riley, but had known him too long and had too high an appreciation of his good sense and patriotism to believe he would attempt such a thing, and that as old, personal friends he and Riley must have no collision. The Governor did not think it best to write to Riley personally, but wrote to friends who would communicate the facts to him. This course had a soothing effect upon Riley; and toned him down. The Governor also quietly notified the superintendent of the mint that the State now held and possessed it. The superintendent formally recognized the authority of Georgia over and her right to the mint, and consented to act under the Executive, who gave him written orders. If any military support was needed the Governor would give it. It shows the inflamed spirit of the day that, not understanding the course of the Governor, several of the papers condemned his seeming inactivity in making a demonstration upon the mint; but it was all right when understood.

Another incident in connection with Pickens county will show with what consummate tact Gov. Brown dealt with the Union feeling of the northern part of Georgia. At Jasper, Pickens county, where the Union loyalty was very ardent, a United States flag was raised upon a pole, soon after secession, and kept aloft in bold open defiance of Confederate authority for several weeks. It was just such an incident as could have been injudiciously inflamed into a local breach that would have given infinite trouble during the whole war, and resulted in an

angry, cancerous and unhealable sore in our very midst. The provocation was very irritating to the people after we had seceded, to have the flag of the repudiated Union floating defiantly, the insulting symbol of a rejected authority, the aggressive emblem of a hostile power seeking our subjection. Appeals upon appeals were made to Gov. Brown to send troops to cut it down. To all of these the astute Executive was wisely deaf. He preferred to let the Union ebullition spend its force. There were very few slaves in that section, and in consequence the slavery sentiment was not strong, while the devotion to the government was very ardent. The veneration for the United States flag was especially earnest. Gov. Brown declined to have the flag cut down. He said:

"By no means; let it float. It floated over our fathers, and we all love the flag now. We have only been compelled to lay it aside by the injustice that has been practiced under its folds. If the people of Pickens desire to hang it out, and keep it there, let them do so. I will send no troops to interfere with it."

The flag continued to float for a while, until the people became ashamed of this sort of action, and took it down themselves without any disturbance whatever; and the county soon after came in with its troops, and did good service in the Confederate cause.

As a further evidence of Gov. Brown's sagacious diplomacy in dealing with this tender-footed section with its intense Union drift, his conduct in the acceptance and organization of troops may be mentioned. Mr. Davis, the President of the Confederacy, made a requisition upon Gov. Brown for the first Georgia regiment that was called into the Confederate service, to go to Fort Pickens at Pensacola, to aid in its defense. Gov. Brown made a call for troops. Some idea of the booming war fever may be gleaned when it is stated that over 250 companies were tendered for this service, out of which one regiment was to be selected. There was the greatest possible jealousy among the Captains of the different companies, each being anxious to secure a place in the regiment. The companies were selected according to priority of the date of their tender, a list having been kept, and the time when each was offered being carefully noted. The only exception made to this rule was in the single case of the tenth company, which he gave to the corps of Captain Harris of Dahlonega, and the regiment was detained two days at Macon before the organization was completed, waiting for Harris's company to reach there, as the Governor learned they were on their way. The delay was occasioned by the company having to march from Dahlonega to Atlanta. On their arrival the preference was given

to them in arms, accoutrements and equipments, conceding to them the best of everything. These courtesies were written home to their friends, who were among the good families of Lumpkin county, and they were written by men then in the service of the Confederacy. Their friends, of course, took an interest in them, and their feelings naturally began to be drawn out after them. The result was that when another call was made, Lumpkin county tendered another company.

A company was tendered from Fannin county, away across the Blue Ridge. A place was left for the Fannin men until they had marched to Atlanta, where regiments were being organized, and they were put in in the same manner. This policy was pursued, giving preference to the mountain companies in every case. In this way the Governor soon had one or more companies in the service from each county in that section; and it was not long until the great mass of the people there had changed about, and stood with their friends who had gone into the Confederate service. Some, it is true, remained Union men to the last, and some few gave trouble, but not a great many. Had a different policy have been pursued and coercion been attempted, or any unkind means used against them at the start, there would have been serious trouble with that section of Georgia. As it was by this astute and well-considered course, pursued with tact and persistence, a large and troublesome Union element was not only neutralized, but absolutely enlisted in the cause heartily. In nothing that happened did Gov. Brown more beneficially use his shrewd practical judgment for the South than in this matter. It was a serious peril and he discerned it at once. But for this masterly management, North and North East Georgia most probably would have become as dangerous a union stronghold as the memorable country of East Tennessee. The value of Gov. Brown's statesmanship in this peril has never been understood or appreciated. But it was a great service, timely, and of an inestimable benefit.

Governor Brown began to purchase arms before the legislature passed the act calling the secession convention, and he pressed the matter vigorously, importing every weapon he could until the firing upon Fort Sumter cut off our means of purchasing them from the Northern States. Even after that time, however, until the blockade was considered a serious obstruction, the importation of arms into the state was continued by Governor Brown. No state in the South did so much in this matter of furnishing armed troops to the Confederacy as Georgia did under Gov. Brown's vigorous administration. Fully thirty regiments were turned over to the Confederate government armed with weapons

bought by the State of Georgia. And in addition to these, there was a large number of arms retained for our state troops.

Governor Brown was authorized to purchase some boats for coast defense, which he did immediately, placing this little navy in charge of that heroic old seaman, Commodore Josiah Tattnall, who had resigned from the United States navy and offered his services to his native state. The strong points upon the coast around Brunswick were fortified to the best of our means, and manned with six months' troops.

CHAPTER XXI.

THE BLAZING WAR FEVER OF THE FIRST OF 1861.

The State a Military Camp.—Eagerness to Enlist.—Pecuniary Sacrifices.—Miss Henrietta Kenan.—“Mrs. Joe Brown's Boys.”—Forty Georgia Regiments by October.—Gov. Brown's Marvelous Energy.—The People's Demand for Him to be Governor a Third Time.—The Famous Letter of Thomas C. Trice.—“No Time for Fool Parties or Swelled-Head Governors.”—The Striking Press Comment.—“The Man for the Times.”—The First Georgia Regiment.—The Volunteers' Privilege of Electing Officers.—Gov. Brown's Ardent Speech.—The Great “Corner-Stone.” Speech of Alex. Stephens.—The Most Momentous Utterance of the Century.—Its Immeasurable Effect.—The Anti-Slavery World Set against Us by It.—Georgia's Continuance of a Dominant Factorship in the Struggle.—Georgia Troops for Virginia.—Hardeman's Battalion.—Military Ardor and Womanly Grief.—The Oglethorpe Light Infantry.—Brown and Bartow.—The Rape of The Guns.—A Hot Controversy.—“I Go to Illustrate Georgia.”—Col. A. H. Colquitt.—Bad Practice of Enlistment.

DURING the year 1861 the military activity in the State of Georgia was incessant and ubiquitous. The commonwealth was one vast recruiting camp. The roll of the drum and the stirring notes of the fife resounded from mountain to seaboard. Hill and valley echoed to the tread of armed men gathering, organizing and leaving home and comfort for the tented field and the soldier's life. It was a wild time—a continuous day of fevered enthusiasm. Men, women and children participated in the exaltation of patriotic spirit. There was no looking back. A brave people had turned their energies to war, and they went at it as a business. The war spirit boomed like a storm. The rivalry to enlist was universal and unquenchable. Letters poured in upon the Governor seeking commissions for perilous service, until the burden became so heavy that he was forced to advertise in the papers that he did not have the clerical labor to even answer. For every requisition of troops there was a fifty-fold proffer of eager soldiers. Such a spirit of willing chivalry as was exhibited was never exceeded in the annals of warfare. And to show the character of the men and organizations, a cavalry company in Rome, the Floyd Cavalry, represented a money property of \$130,000 among 40 men, while another of 35 men in Milledgeville, the Governor's Horse Guards, stood for two and a half millions of wealth on the tax books.

All over the State citizens were offering to make pecuniary sacrifices for the cause. Gov. Brown himself, subscribed and paid one thousand dollars toward the support of the Georgia troops in the service, and determined to appropriate the net income of his farm to the same great cause. His wife devoted her time, as did thousands upon thousands of other noble and delicate women, to making clothing for the soldiers. Miss Henrietta Kenan, of Milledgeville, a daughter of Col. Augustus H. Kenan, a brilliant, queenly woman, tendered to Gov. Brown in behalf of herself and her mother, for the use of the state, their silver plate of considerable value. The Governor said if it became a necessity he would accept it. A company was organized below Gaddistown, in Fannin County, and named "Mrs. Joe Brown's Boys." In recognition of the compliment, Mrs. Brown, the wife of the Governor, fitted this company with a suit of clothes, purchasing the cloth in Milledgeville and making and sending one to each member. All over the state voluntary generous patriotism was shown.

Some idea may be formed of how gloriously Georgia responded to the demands upon her manhood, from the fact that up to the first of October, 1861, she had sent forty magnificent regiments to the battle field. This makes a grand fact in her war record. And during this whole seething time Gov. Brown stood the central figure and guiding intelligence, winning opinions that seem almost extravagant, so laudatory were they of his energy, management and patriotism. His genius for organizing was something marvelous. His cool impetuosity and comprehensive forecast, his wise audacity and calculating, methodical ability for any occasion, were matters of universal recognition and panegyric. The Southern press united in admiring his peerless administration, while the people and press of Georgia idolized him. In the midst of all of the sweeping war excitement the thoughts of the people, clear in advance of the end of his term began to look to him for the unprecedented distinction of a third term, of gubernatorial service.

Early in March, 1861, a communication appeared from Mr. Thomas C. Trice of Pike county, urging the people of Georgia without distinction of party to re-elect Gov. Brown. The letter of Mr. Trice was a plain, brief, matter-of-fact document, striking right to the point in a few homely words, but it had a wonderful effect. There are times when men make a happy strike by voicing the public thought. Said Mr. Trice in his homely way:

"I do not believe there is another man in Georgia, who is every way as well calculated for Governor as Joseph E. Brown. I do not mean by this that Joe Brown has more

sense than everybody else. I mean just what I say—that no man in Georgia will make such an Executive as Joe Brown, and therefore I think that he should be re-elected.

"We need just such a plain, sensible, practicable man as Joe Brown is to attend to the Executive business of the State, while we try to make bread at home. It is no time now for fool parties among farmers, nor for swelled-head Governors. We need strict economy at home, and prudent, plain, investigating men to manage our State affairs."

This sententious, blunt-spoken expression of choice started a deluge of responses from all parts of the state endorsing the idea. Mr. Trice awoke to find himself famous as the unexpected announcer of a universal notion. His crisp letter was a formulation of the public wish. Some of the endorsements were in very strong words. One writer declared Gov. Brown, "with the single exception of Jefferson Davis, as first in the affections and confidence of the Southern people," and said that he was wanted in the Senate of the Confederate States. 'At that time, and since, it has been asserted that Gov. Brown aspired to Confederate office. But a day or two ago in the United States Senate, where Gov. Brown now is, Senator Mahone of Virginia asserted that Gov. Brown desired to be President of the Confederate States. There was not the slightest basis for such an assertion. As will be later seen, Gov. Brown had the honor of a Cabinet position in his grasp. But it is the truth that he had not only no wish for any Confederate office, but under no circumstances would he have given up the place of Governor of Georgia for any position in the gift of the people. His measure of ambition was to serve his state as Executive. Perhaps the most comprehensive summary at the time of the estimate in which Gov. Brown was held in those days, and at the same time the most vivid picture of the situation, are found in the following editorial from the *Georgia Forester*, which was universally copied then. The writing was headed, "THE MAN FOR *The Times*," itself a volume of meaning. The editorial thus discoursed:

"Perhaps there never was a time when strong will, iron nerve and common sense, combined in a single character, were more to be valued, or when they were more needed than in the present crisis. A great revolution, civil and political, is progressing. One of the most powerful governments on earth is fast crumbling to pieces, and in its convulsive death-struggles shakes the civilized world. The wildest passions are blazing with infuriate madness from the breasts of thirty millions of people.

"Amid this war of elements, this storm of contending factions, and this whirlwind of evil passions, there is one man who stands like the towering sea-built rock, that breaks and scatters the angry, surging waves. One who calmly watches the quick, revolving wheel of events, and with daring intrepidity and dignified deliberation confronts every issue that is presented, and foils every effort to circumvent his movements or to interrupt his quiet progress. Conscious of the vast responsibilities that rest upon

him, and appreciating fully the dangers that surround and threaten to engulf the glorious ship he commands, with iron nerve and a will that increases in strength and rises in grandeur as he approaches the Scylla and Charybdis of his voyage, right onward he directs her course and bids defiance to the swelling wave and the lightning flash. Firm in the right, with truth in his heart, and God o'er his head, he *acts* while others pause to reconnoitre and negotiate; and wins the victory, while others stop and calculate the cost of defeat.

"Combining wisdom with patriotism, prudence with nerve, and boldness with justice and deliberation, Joseph E. Brown is emphatically the man for the times."

These strong words bear the mark of the intensified fervor of the time which called them forth, but they constitute a remarkable tribute for any man to win, and they show the part Joe Brown was enacting and the manner in which he was impressing days when force and equipoise were the regnant and inexorable qualities for leadership. From this time on the idea of the blunt-phrased Trice for Brown's re-election went on steadily to consummation, over-riding custom with the resistless current of the popular will,—that incarnation of the voice of God as embodied in the voice of the people.

Returning to the current of war progress, the organization of the first regiment for Pensacola at Macon, was a matter of general state interest. Gov. Brown went over and reviewed and addressed the troops. The companies consisted of the Augusta Oglethorpe Light Infantry, Capt. Clark; Augusta Walker Light Infantry, Capt. Camp; Dahlonega Volunteers, Capt. Harris; Bainbridge Independent Volunteers, Capt. Evans; Forsyth Quitman Guards, Capt. Pinckard; Atlanta Gate City Guards, Capt. Ezzard; Perry Southern Rights Guard, Capt. Houser; Newnan Guards, Capt. Hanvey; Sandersville Washington Rifles, Capt. Jones; Columbus South Guards, Capt. Wilkins; Etowah Guards, Capt. Larey; Ringgold Volunteers, Capt. Sprayberry; Macon Brown Infantry, Capt. Smith; and Macon Independent Volunteers, Capt. Adderhold.

The appointment of officers by the Military Department of the Government has been the practice of war and of regular armies of professional soldiers; but the privilege of the election of officers by the men they command is the delight of volunteers, the outcome of the spirit of our free institutions, and the very foundation of an efficient volunteer service. It was this privilege, so dear to our volunteer soldiery, that inspired one of the historic controversies that Gov. Brown had afterwards with President Davis. It was under this system of election that all of our State regiments were organized, except the 1st Georgia Regulars, which was raised under a special law of the convention. The election for field officers for the regiment bound for Pensacola, was held

at Camp Oglethorpe, as it was appropriately named, and resulted: James N. Ramsay, Colonel; J. O. Clarke, Lieutenant Colonel; and G. H. Thompson, Major; Col. Ramsay was a Lieutenant, and beat Captains Jones and Pinckard. The regiment was organized the 3d of April, 1861. On the 5th, Gov. Brown reviewed the troops before a vast assemblage, and then delivered an eloquent and powerful speech, full of an impassioned feeling unusual with him, that stirred an over-mastering enthusiasm. He retrospected concisely but burningly the causes and progress of the revolution. In his references to their mission, he was especially happy. He said truthfully, "My whole soul is in this movement, and my heart swells with emotions I cannot utter." He concluded amid a prolonged burst of applause with these solemn words:

"Go then, and may the God of battles go with you, and lead, protect and defend you, till the last foot-print of the invader shall be obliterated from the soil of our common country."

One company of this regiment was the Bainbridge Volunteers, uniformed in coarse flannel shirts, and pantaloons of the coarsest negro cloth, yet representing over a million dollars of wealth. A battalion was organized at the same time, with Capt. Larey as major.

It was but a few days before this that Hon. Alexander H. Stephens delivered a lengthy speech to an immense audience in Savannah, that went over the civilized world. It was a remarkable utterance in many respects, but in nothing more remarkable than in being regarded as one of those advance pioneer expressions of a cardinal idea of new and original statesmanship, that are only formulated by master minds, and come but once in generations of men. The great eloquence of the man, the wonderful attraction attaching to him in view of his slender physical tenure of life, so disproportioned to his genius, the exalted position he held as Vice-President of the new Confederacy, and the resultant authoritative character of this deliverance, all made the speech a marked one. But the great theory of the address—a bold, immense and revolutionary innovation upon the settled convictions and prejudices of mankind—gave the speech its celebrity, and made it the theme of universal discussion among the ruling minds of the English-speaking language. The address was dubbed the "Corner-Stone" speech, and the grand central idea was that:

"Our new government was founded upon the great truth that the negro is not equal to the white man—that slavery, subordination to the superior race, was his natural and moral condition. * * This stone, which was rejected by the first builders, 'is become the chief corner stone' in our new edifice."

The enunciation of this startling philosophy by Mr. Stephens evoked an overwhelming enthusiasm at home, and in the South, and excited a profound feeling North and abroad. It became the representative idea of the Confederacy. It fixed clearly and simply the question of the revolution. It was unanimously accepted by the South. It put the civilized world upon notice as to what a recognition of the Confederacy meant. It propounded a prodigious issue, moral and political. It precipitated an unappealable arbitrament of the issue which concerned the most humanitarian convictions of mankind upon the essence of human freedom. Georgia again exercised that leading agency in this colossal agitation to which she seemed by some strange destiny fated. To one of her great spirits belonged the crowning honor of originating and formulating in his eloquent and masterly utterances, the very fundamental thought of the gigantic movement.

Mr. Stephens left nothing unsaid that perfected his great idea. He stated distinctly that the Union just split, rested upon "the fundamentally wrong idea that the enslavement of the African was a violation of the laws of nature." He said that it was apprehended that we would "array against us the civilized world." He continued in a magnificent display of eloquence, that drew deafening applause that he "cared not who, or how many they may be, when we stand upon the eternal principles of truth, we are obliged and must triumph."

The moral effect of this great speech was beyond all calculation. It put squarely against the Confederacy the abolition sentiment of the world. It prevented foreign recognition. It narrowed the issue from the broad domain of political independence founded upon a contract that had been violated, and upon which the sympathy of the world was with us, to the untenable foothold of the intrinsic righteousness and supreme good policy of slavery, in which civilized mankind stood immutably against us. The slavery question had been a large one in the agitation, but it simply represented a greater question of self-government. This speech of the Vice-President of the Confederacy claiming slavery to be a divinely originated institution based in truth, and the soul of the new government, set it up as the vital question of the conflict. It changed the battle-ground, shifted the war-flag, substituted a new slogan, and put us in isolation. It was an heroic thing, and it worked to the great scheme of Providence for human freedom. And it continued Georgia as the decisive factor of the revolution.

On the 13th of April, 1861, the siege of Fort Sumter ended by the surrender of Major Anderson. On the 15th of April, President Lincoln

made his call for 75,000 men to suppress the rebellion. On the 18th of April, Virginia seceded from the Union. On the 19th of April, President Davis telegraphed Gov. Brown for two or three companies to go immediately to Norfolk, Virginia, and inquired when he could have them ready. Gov. Brown went to the telegraph office in Milledgeville and telegraphed for volunteer companies in Macon, Griffin and Columbus, asking each Captain whether his company would like to go, and when they could be ready. The responses in every case were: "We would like to go; how much time can you give us?" He replied, "You must start to-morrow." While some of them said they would need more time, yet rather than lose their place in the battalion, they would go thus hastily. In twenty-four hours the battalion was on the cars in motion for Norfolk, and they were said to have arrived there about the first troops that reached the place, and a little before the Virginia troops arrived at the sea-board of their own state. This incident will show the eager war spirit of the people, and Gov. Brown's swift celerity in answering requisitions. The four companies forming this battalion were the Macon Floyd Rifles, Capt. Thos. Hardeman; Macon Volunteers, Capt. Smith; Columbus City Light Guard, Capt. P. H. Colquitt, and a Griffin company under Capt. Doyal. Col. Thomas Hardeman, ex-member of Congress, was made the commander of this gallant corps, and he and they did some of the finest service performed in the war.

Requisitions were rapidly made upon Gov. Brown for troops, first 5,000 and then 3,000 men, and promptly filled. There was no halting in this stern time. Men rushed forward to enlist, and the dear women sent them to the front in heroic tears. The people assembled by the thousand to bid adieu to the departing soldiers. It was a wild day with its under-stratum of sobs and womanly grief. The huzzas of shouting patriotism and the roar of thundering cannon sped the gallant troops away, perhaps forever, amid a torrent of soulful weeping and convulsive embraces. It was buoyant and sorrowful, an era of proud sadness and damp-eyed exhilaration. The bounding ardor of the soldier was chastened in the tender grief of the women left behind to pray. Handkerchiefs and hands waved fervent farewells from apprehensive but resolute hearts. The whole State was aflame. In every county companies were made up. Newton county, that had been a Union stronghold, organized five companies in a few days, and raised a subscription of ten thousand dollars for aiding these military corps. The city of Macon in a short while furnished five hundred men. These are examples of the rest.

Gov. Brown stood to his wonderful labor of organization with an unceasing persistence. His resourceful energy seemed to grow, if possible. He issued a proclamation prohibiting the payment of any debt of money or property North; and the protesting by any bank of any paper due to Northern banks or people. He also issued a proclamation exempting persons and operatives engaged in the manufacture of arms, woolen or cotton goods or iron, from military duty. All of the troops enlisted for the Confederate service up to May, 1861, were twelve months' companies, of which five regiments were organized.

President Davis called the Confederate Congress together on the 29th of April, 1861, and immediately an act was passed authorizing the enlistment of troops for the war. Francis S. Bartow, the chairman of the military committee, was the captain of a volunteer company in Savannah, the "Oglethorpe Light Infantry," of which the writer was a member and a private. The company was organized in 1856, and was one of the popular corps in that gallant city always noted for its military spirit and the number and efficiency of its military organizations. Capt. Bartow was in communication with the company, and as soon as the act authorizing war troops was passed and approved, he communicated the fact by telegraph to his company. A meeting was promptly called. The writer well remembers the glowing spirit of that meeting. Amid a storm of enthusiasm and excitement a resolution was unanimously passed tendering the company for the war to the President. The tender was flashed over the wires in hot haste, so as to be the first, and the acceptance was sent back as quickly, Capt. Bartow immediately seeking Mr. Davis. To this superb company of young men, there being hardly a married man in it, among the best young citizens of Savannah, sons of her old and honored families, belongs the honor of being the first company in the entire Confederacy that gave its services to the South for the whole war. As this company had also furnished a detail of men for the detachment that seized Fort Pulaski under orders of Gov. Brown, before the State seceded, it had a record distinctive above all other companies of the great revolution, which will grow brighter with time. And as the company in its service in Virginia and elsewhere, went through the greatest battles of the war during the entire four years, beginning with the first Manassas, and fought with an increasing chivalry to the very close, it achieved an illustrious history and made an imperishable record of glory.

This company left for Virginia on the 21st day of May, 1861, escorted to the depot by the entire soldiery of Savannah and swarming throngs of

citizens. Amid salvos of artillery and the enmassed applause of the assembled people of the whole city, the train moved off with this splendid young organization. They had arms belonging to the State, and carried them without the consent of the Executive. This rape of the guns elicited a tart correspondence between Gov. Brown and Capt. Bartow, in which some hard things were said on both sides, which probably both of these patriotic gentlemen would have wished unwritten. Gov. Brown contended for the State's authority. Capt. Bartow repelled what he regarded as an assault upon his patriotism. In his letter Bartow used an expression, that in connection with his early and brilliant death at Manassas, became a marked utterance. He said, "I go to illustrate Georgia." All of these incidents, the participation in the seizure of Fort Pulaski, being the first company to enlist for the war, the forcible taking away of the State's guns, the controversy over them, and Capt. Bartow's high position in the Confederate Congress, all tended at that time to make the Oglethorpe Light Infantry of Savannah a famous company. Its twenty-fifth anniversary was celebrated in Savannah on the 19th of January, 1881, by a handsome banquet, when its honorable history was recalled and commemorated. This company was organized with other Georgia companies in Virginia into the 8th Georgia regiment, and Capt. Bartow was made Colonel; Wm. Montgomery Gardner, Lt. Colonel. The surgeon was Dr. H. V. M. Miller, so prominent in Georgia politics, who has recently presented a handsome portrait of Bartow to the Young Men's Library Association of Atlanta. This regiment was finally commanded by Col. Lucius M. Lamar, a handsome and gallant officer and a member of the General Assembly of Georgia of 1880-1. It made a memorable record of service, on the march, in camp and in battle, coming up to every patriotic requirement, and in the language of the brilliant but ill-fated Bartow, "illustrating Georgia."

The first regiment organized for the war was the 6th Georgia, of which Alfred H. Colquitt, the present Governor of Georgia, was made the Colonel. The practice of the Confederacy accepting troops directly without any reference to the State authority, was a bad one. All requisitions for soldiers should have been through the Executive. Thousands of Georgia soldiers went into the Confederate army in this way, of whom there is no record. No report of them was ever made to the state authorities, and thus the Georgia records are, and must ever remain incomplete. The writer organized the 4th Regiment of Georgia Cavalry, sending the muster rolls directly to the War Department at Richmond, and there is no record of a soldier or officer in the war

archives of Georgia, while the organization had, first and last, over 1,500 men in it. This instance will illustrate the matter. It was an irregular way of doing things that we now see Gov. Brown was right in opposing. It made endless confusion and incurable uncertainty in the records of the state's service. It renders it an impossibility for the full roll of our Georgia soldiers ever to be obtained, and the entire measure of justice be done to the substantial devotion of the state to the Southern cause. Thousands of gallant Georgians fought and perished in this gigantic struggle whose names and heroism are unknown and unpreserved.

CHAPTER XXII.

THE PRECEDENT OF A CENTURY OVERTHROWN, AND BROWN MADE GOVERNOR THE THIRD TIME.

Gov. Brown in a Constant Battle.—Unhinged Times.—Men's Fighting Blood up.—Brown's Curious Altercations.—The Columbus Guards.—The Startling Episode of the Salt Famine.—One of the Worst Terrors of The War.—Brown's Daring against the Salt Tyranny.—The First Manassas Battle.—Its Stupendous Effect.—The Georgia Coast.—"Dixie Doodle."—Curious War Names.—The "Nancy Harts."—Spoiling for a Fight.—The Bank Convention.—Cotton Planters' Convention.—The Cobbs.—Georgians to the Army.—Coast Defense.—The New Georgia Constitution.—Col. Whitaker's Letter to Gov. Brown.—Brown Allows his Name for Governor.—A Coincidence.—The Grandson of the only Third Term Governor urging Brown to a Third Term.—Bitter Assaults on Brown.—Opposition Convention.—Its Personelle.—H. V. Johnson Declines as a Delegate.—Judge E. A. Nesbit Nominated.—Thos. E. Lloyd.—The Press Nearly Solid against Brown.—Brown's Trenchant Address.—Brown Overwhelmingly Re-elected.

DURING the turbulent days of 1861, Gov. Brown did not by any means, find his executive office a bed of roses. It was not in the nature of things that a man so daring and positive, so fearless in assuming responsibility, and so constitutionally combative, should not get into more or less turmoil beyond what an easier-tempered person would have escaped. The Governor was not a milk and water man, taking things lightly and shifting serious burdens upon other convenient people. He met his duties boldly, fully and promptly. He shirked no crisis. He confronted every emergency squarely. He made mistakes, as no human being can avoid doing. He was sometimes too aggressive. He occasionally bore too hard on men. He, perhaps, could not brook assault as peacefully as he might. He was, mayhap, too rigid and too unyielding where some concession would have availed better. But in spite of these things, it would have been almost out of the question to have supplied his place. The whole power and fervor of his strong intense soul were in the cause. It was no time for tender-footed and vacillating spirits. An imperious, dominant will was the need of the era—an unhesitating, self-reliant intelligence. The times were unhinged too. Social bonds were loosened. The ligaments of law were slipping their hold. War was on us, and the passions gathering and

strengthening. The epoch was every day getting wilder. Men were unconsciously going backward in moral restraint under the license of war. They were ripening in individual audacity, and the stern temper born of strife. It required a firm nerve to maintain its leadership among the stormy elements at play.

Gov. Brown had some curious altercations about very strange matters. The controversy with Bartow over his rape of guns, was a specimen. This was extensively discussed, men and newspapers siding both ways. Mr. Davis, however, came through Atlanta, and had a long and friendly talk about the matter with Gov. Brown, and frankly acknowledged that the policy of the Confederate authorities receiving troops over the head of the state Executives was wrong, and he intended to have no more of it, but get all of his requisitions supplied by the state Governors. Another wholly unnecessary difficulty was one between the Columbus Guards and Gov. Brown, in which the Executive simply tracked the law, and in doing so, came in collision with a body of men whose eager desire to enlist rushed them into disregard of law. The statute prescribed the size of companies to be from fifty to eighty men, not exceeding the latter number. Capt. Ellis had 120 men, and the Governor refused to take the extra sixty men, though Martin J. Crawford urged it. Capt. Ellis took his extra men to Savannah anyhow. The Governor stuck to the law, telegraphing Gen. Lawton to enforce the statute. And the Governor was savagely assailed for his action. The fact is the men of the state were burning to enlist, and in the hot eagerness to do a freeman's duty, they quarreled over the privilege of service and the opportunity for peril. Nothing, however, swerved the Executive from his line of resolution. And in every case the public judgment sustained him when the facts were understood. In no case did he act from any personal motive. He sought the success of the cause, and he pursued his object with an immovable tenacity of purpose.

A remarkable instance of his daring readiness to take any risk for the public good, was in the prosaic but incalculably momentous necessity of salt. This simple and cheap article of living, that exercises so little thought, and that is as plentiful as the air, became the subject of an appalling famine in the South. It lay in measureless quantities in the boundless ocean that bordered the Confederacy for a thousand miles. Yet with the coast blockaded, with inadequate facilities for its manufacture, with its importation cut off by the bayonets of a beleaguering cordon of hostile soldiers, the scarcity of salt became a terror to the people. It was a romantic fate that made this boundless

commodity worth almost pound for pound with silver. It was one of the strangest straits of the Confederacy, this famine of salt. Speculators took advantage of it. Even early in 1861, the war of the salt changers began. And it continued until the legislature took the matter in hand and sought to protect the people from these salt sharks. While the matter was pending the speculators took alarm and started to rush their hoards out of the state. The meat for the soldiers needed salt to cure it. The salt famine threatened the commonwealth in earnest. In this crisis Gov. Brown, with his wonted boldness, liberally construing the constitutional provision that allowed the Executive in cases of emergency to seize private property for public use, clutched several large lots of salt for the state, and prohibited its general shipment out of the state. The speculators howled. The price they gave with freight, storage, interest, drayage and ten per cent. interest, was tendered to the subjects of this rape of salt. The Legislature passed its protective measure, but the Governor had saved the state from the salt famine by his bold audacity and prompt interference ahead of slow legislative action. The public uses were provided for, with some surplus over, which was sold around to the poor people who could not pay speculation prices, and thus the public necessities were relieved.

His audacious exercise of authority, such as few men would have dared to use, and especially when it was a matter of discussion as to the right, elicited some hard criticism from his enemies, but the people, the omnipotent depository of opinion and power, sustained him overwhelmingly, as it will back any man in the end who is disinterestedly doing the right as he conscientiously sees it. This salt trouble was a permanent one during the war. The salt famine hung over the state with its vital terrors until the surrender. The legislatures fought it as sternly and persistently as they pushed the battles. They had to come to the relief of the poor finally. The state took in its own hands the manufacture of salt in self-defense. And not only this, but the state had to organize a great salt bureau, and appropriate half a million of dollars, and make distribution of the despotic staple. In the archives of the Executive Department are huge volumes of records, and enormous books that a strong man staggers in carrying across the room, all devoted to the novel and terrible episode of our salt tyranny in the war.

The battle of the First Manassas took place on the 21st day of July, 1861, in which memorable engagement the 7th Georgia, and 8th Georgia regiments were engaged, and won a signal fame. The 7th reg-

iment was commanded by Col. Lucius J. Gartrell, ex-member of congress. Gen. Johnson, in his official report, mentions the name of Col. Gartrell with others as having distinguished themselves in that engagement. His son, Henry Clay Gartrell, was killed in the battle. Col. Bartow commanded the Brigade consisting of the 7th, 8th, 9th and 11th Georgia, and 1st Kentucky Regiments. This battle, the first important action of the war, was a remarkable one in its effects. It was a thorough victory for the Confederates, and a most disastrous defeat for the Federals. It was at first and for a long time believed that the Federals enormously outnumbered us, but recent statistics said to be correct show that the contending forces were nearer equality than has been supposed. The battle was bloody, and for a while desperate. Our losses were heavy. The Georgia troops especially happened at the very brunt of the fighting, and in pursuance of that same destiny, that seemed to press Georgia into the crucial situations of this great struggle at vital times, turned the tide of battle with a frightful loss of gallant men, including the intrepid Bartow himself, who fell, caught in the arms of Col. Gartrell, uttering the now historic exclamation, "THEY HAVE KILLED ME, BUT NEVER GIVE IT UP!" The state of Georgia thus not only gave the deciding stroke in this momentous battle, but furnished the first conspicuous martyr of the war.

The battle gave a terrific momentum to the war spirit of the North, while it affected the South disastrously. It seemed a confirmation of the immeasurable fighting superiority of the South. It aroused the North; it demoralized and distracted the South by a controversy that alienated leaders and caused dissension during the whole war over an issue as to whether the fruits of the victory were not neglected. The pride, the resentment, the courage of the Northern people were stimulated to desperation, and from this time on, the war progressed in dead earnest.

In Georgia the activity, if anything, redoubled. Camps of instruction and of preparation were organized, and filled with troops drilling and fitting for the next call. A large attention was given to the coast of Georgia. The Confederate Government had placed Gen. A. R. Lawton in command from Savannah to the Florida line, and Commodore Tatt-nall in charge of the naval force. Every co-operation was given to these officers. Gov. Brown spent \$80,000 in equipping Fort Pulaski. Up to the 26th of July, seventeen thousand men had been organized, armed and equipped at a cost of \$300,000, and sent into service, most of them out of the state. Fully 30,000 guns and accoutrements were

supplied to the Confederacy by the state of Georgia, at her own cost, first and last. Three steamers had been purchased for coast defense, one costing \$40,000 and the others less. The Governor purchased \$44,265 of material for making gunpowder, which he allowed the Confederate authorities to take.

There were many interesting features of the war fever of 1861, that would prove very readable. Amid the serious work was a by-play of light incident that helps to complete the picturesque picture of a dramatic time. Some patriotic poetaster drew from his muse a Southern version of the familiar "Yankee Doodle," and dubbed it "Dixie Doodle." The names of some of the companies were a typical outcome of the spirit of the times. The company commanded by the present Governor Colquitt, was the "Baker Fire Eaters," and his regiment was called the "Coffin Regiment," in memory of a soubriquet given to his famous father, Walter T. Colquitt, in the memorable political campaign of 1850 and 1851, as the "Elder Colonel of the Coffin Regiment." "Defenders of the South," Capt. J. A. Norwood of Troup County; "Union Invincibles," Captain Sam Patterson of Union Co.; "Dixey Boys," Capt. H. Bryan of Thomas Co.; "Miller Wild Cats," Capt. B. R. Kendrick of Colquitt Co.; "Monroe Crowders," of Forsyth Co.; "Sons of Liberty," Capt. E. F. Lawson; "Davis Invincibles," etc., were some of these suggestive names. The ladies of La Grange in their military enthusiasm organized a company called the "Nancy Harts," in honor of that revolutionary heroine of whom it was said, "she was a rare patriot, but a devil of a wife." Of this company Dr. A. C. Ware was Captain; Mrs. Nannie Morgan, First Lieutenant; Mrs. P. B. Heard, Second Lieutenant; Miss A. Smith, Third Lieutenant; Miss A. Bull, First Sergeant; Miss A. Hill, Second Sergeant; Miss M. E. Colquitt, Third Sergeant; Miss P. Beall, First Corporal; Miss L. Pullen, Second Corporal; Miss S. Bull, Third Corporal; Miss E. Key, Treasurer. Mrs. Overby, widow of B. H. Overby, and daughter of Hugh L. Haralson, gave \$100 for the soldiers' families, and pledged herself to continue the patriotic contribution. The "Wrightsville Infantry," commanded by Captain Jessie A. Glenn, was ordered to Savannah. The newspapers copied extensively a piteous letter from Capt. Glenn to Hon. A. R. Wright, after whom the company was named, begging to get away from Savannah to some place "*where there is a prospect of a fight.*" The universal hankering was to get a chance at the enemy, and Capt. Glenn voiced the general wish.

Two Conventions were held in Georgia in June, 1861, of public inter-

est. The first was at Atlanta, a "Bank Convention of the Confederate States," which met June 3d, and did important work in aiding the financial measures of the new government. Georgia, Alabama, Florida and South Carolina were represented. The Georgia delegates were R. R. Cuyler, S. Cohen, H. Roberts, Isaac Scott, W. S. Cothran, A. Austell, W. H. Inman, G. B. Lamar, and W. E. Jackson. The President was G. B. Lamar, and Vice-President, Jas. S. Gibbs of South Carolina. Resolutions were passed for the banks to receive Confederate Treasury notes, and asking railroads and tax officers to take them. The second Convention was the Cotton Planters' Convention in Macon. A committee composed of J. H. R. Washington, Pulaski S. Holt and Nathan Bass was appointed to issue a call for a Confederate Cotton Planters' convention, which was done. A camp of instruction, called Camp McDonald, was organized in Cobb county of some 2,000 troops under command of Brig. Gen. Wm. Phillips. War speeches were made in Atlanta by distinguished gentlemen passing through, among them Hon. Roger A. Pryor and Hon. R. M. T. Hunter of Virginia.

The Confederate Congress adjourned in May, at Montgomery, to meet in July, at Richmond. It first authorized an issue of fifty millions of bonds for war purposes. Howell Cobb and T. R. R. Cobb issued an address to the planters of Georgia, urging them from patriotic considerations to invest in these bonds, in which address they called attention to the two proud facts that Georgia was the only State that had adopted the Confederate Constitution by a unanimous vote, and that she was offering the largest number of volunteers of any State, thus preserving that leadership in this revolution that Georgia had maintained. As Bartow had gone into the army, so our other Georgia leaders drifted in. Howell Cobb accepted the tender of a regiment in June, 1861, unable to resist the war impulse. He was followed swiftly by his brother, Thomas R. R. Cobb, and by Mr. Toombs, and all of them became Brigadier Generals. The regiments of Georgia regulars were consolidated into one, and officered by Col. C. J. Williams and Lieut. Col. E. W. Chastain.

In September, Gov. Brown made a visit to the coast, and found the force under the Confederate authorities there, wholly inadequate to the defense. He promptly, on his own responsibility, called out additional State troops. Up to the first of September, twenty-five regiments and three battalions had been organized in Georgia under Gov. Brown's authority, and some seven independent regiments, making 30,000 troops Georgia had furnished for the war, and of this number, over 20,000

were in Virginia. Many of them were suffering for clothing. Gov. Brown issued proclamations making earnest appeals for the people at home to contribute money and clothing. He also made proclamation that he was exhausted of arms, and called upon the people to loan the State their private rifles and shot-guns for public defense. He ordered a full enrollment of all men liable to militia duty. All of his measures were vigorous and timely. Every point connected with the State's interest was closely watched and promptly attended to.

The vote upon the new Constitution of Georgia will show how completely the people were absorbed in the war to the exclusion of all other considerations. The vote for ratification was 11,499, and against ratification 10,704, a majority of only 795 for ratification, and a total vote of but 22,203 out of 120,000.

The time was approaching for the election of a Governor. The people early in the year had sounded in no uncertain tones the desire to have Gov. Brown re-chosen, in spite of the custom that limited Governors to two terms. In August, Jared I. Whittaker addressed a letter to Gov. Brown propounding two inquiries:

"First.—Whether in his opinion it was proper, under existing circumstances, to hold a convention to nominate a candidate for Governor, and conventions in the districts to nominate candidates for Congress.

"Second.—Whether, if it should be the wish of the mass of the people of Georgia, without regard to old party differences, Gov. Brown would in that critical period of the State's history, consent to serve a third term in the executive office."

To this letter Gov. Brown, on the 13th day of August, 1861, replied. He advised against holding conventions. There were no political divisions and no need for any party machinery, while the people had no time for any unnecessary assemblages. In regard to his being Governor a third time, he frankly stated that neither his personal interest nor inclinations prompted him to give his consent to run again. He made this allusion to the past:

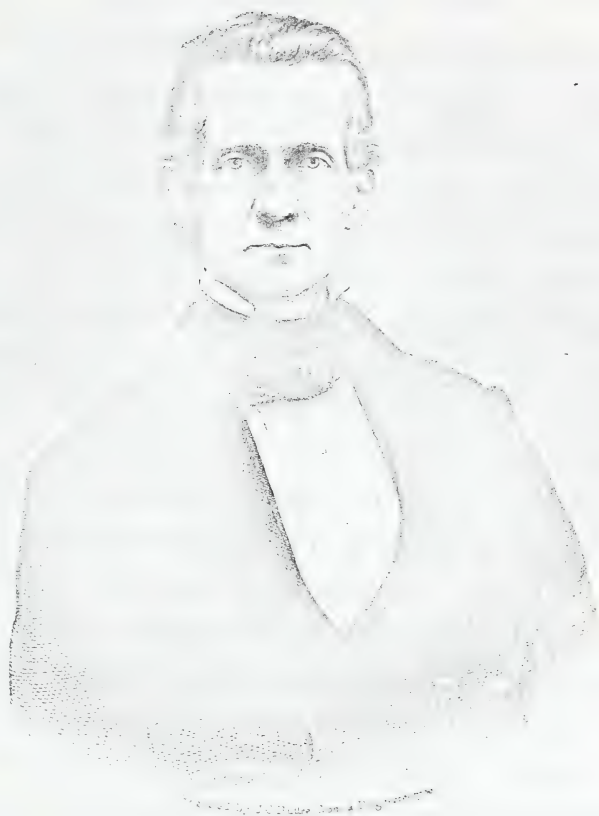
"In the days of your honored grandfather, Jared Irwin, who served with so much ability as Governor of Georgia, there was no such usage as that of a first or second term only, for he was called to the executive chair the third time. The political usage has since been for the executive to retire at the end of the first or second term. It has, however, been but a usage, as there is no constitutional difficulty in the way of the same person holding the office for a third term. I have had no inclination to violate this usage. If I have made no character in the office in four years, I may not expect to do so in six. If I have made any reputation during that time, I have then something to risk by holding the office another term in the midst of a revolution."

It was a right interesting coincidence, that the grandson of the only

Governor in the history of the State who had been elected for three terms, should be the instrument of pressing upon Gov. Brown the popular wish for his undertaking the responsibilities and wearing the honors of a third term. Gov. Brown continued his letter, quoting the reasons that had been urged for his taking a third. These were, his familiarity with the duties and the situation, and the danger of putting a new and inexperienced man in the place, and his duty as one who had done so much to bring about secession to now stand to his post and bear his burden of the revolution. He, therefore, felt that he could not refuse if the people desired his services, but that he could not and would not make any canvass for the election.

This permission of Gov. Brown for the popular use of his name for Governor was the signal for a heavy assault upon him. In his positive administration he had awakened some bitter personal enmities. His wonderful popularity excited a wide jealousy among the leaders of public opinion in the State. Before his letter some of the press had suggested and advocated a convention for September, and the opposition pushed the movement. A convention was called for the 11th of September, 1861, in Milledgeville. Numbers of counties called meetings and by resolutions refused to send delegates. Herschell V. Johnson was chosen a delegate to the convention, and declined in a strong letter. He said the contest before the convention for the nomination would be purely a personal one, in which he took no interest, the candidates being all worthy; that the State needed a united people, and the convention would not concentrate public opinion; that a large part of the people, not being represented in the convention, would not be bound by its action; that Gov. Brown was virtually an independent candidate, and thus two candidates were a certainty; that under these circumstances he would not be trammelled, but should vote for the man whose elevation he deemed best "calculated to promote the public welfare irrespective of partisan or personal considerations."

There is no doubt that this pertinent letter of ex-Gov. Johnson had a powerful effect in checking representation in the convention. There is no doubt, either, that the people were with Gov. Brown. The homely words of Trice had struck a bed-rock basis of popular endorsement. The convention had 174 representatives from only fifty-eight counties out of 132, and it was claimed that only forty of these had delegates actually empowered. Col. Cincinnatus Peeples was temporary chairman, and Judge Dennis F. Hammond permanent president. Wm. L. Mitchell, chairman of the committee on business, reported the nomination of



E. A. Nisbet.

Judge Eugenius A. Nisbet for Governor. Hon. George N. Lester moved the appointment of a committee, which reported an electoral ticket, headed by David Irwin of Cobb and Thos. E. Lloyd of Chatham. The district electoral nominees were John L. Harris, Arthur Hood, J. L. Wimberly, Dr. E. McGehee, I. P. Garvin, I. G. Fannin, O. C. Gibson, John Ray, H. H. Cannon and H. F. Price.

Of these gentlemen, Hon. Thomas E. Lloyd of Savannah was the admitted leader of the bar in that city of accomplished lawyers. A modest gentleman of fortune and old family, indifferent to politics, nothing of an advocate, lacking wholly the charm of eloquence, he was yet a profound and learned counselor of law, and the very head of the civil branch of jurisprudence. A good liver, fond of his billiards and his wine, a luxurious bachelor, he was yet an unwearied student of his profession, and the most pains-taking, erudite and accurate attorney at a bar noted for its able and learned members. He was a legal umpire in disputed points of law. He had a purely legal mind, clear, philosophical, discriminating, quick, powerful and analytic. He read widely, he digested fully. His temper was exquisite, and his spirit thoroughly balanced. His truth and sense of honor were perfect. He was the finest specimen of a civil lawyer that we have ever had in Georgia. His quiet manners and retiring disposition prevented him from earning that State repute that his extraordinary legal abilities and attainments entitled him to receive. Where he was known he passed for his remarkable value. He never sought office, and when it was thrust upon him he took it reluctantly and laid it down with delight.

The convention further presented Davis and Stephens for re-election as President and Vice-President of the Confederacy. The nomination of Judge Nisbet was a very strong one, the strongest, perhaps, that could have been made. He was an opponent well worthy of Gov. Brown, and fitted to test to the utmost his popular strength. He had been the leader of the secession convention, and enjoyed all the popularity that fact was calculated to give him. He was pure, able, eloquent, learned, distinguished. He had illustrated the State in Congress. He had graced private life, ornamented his profession and adorned the supreme bench. The opposition hailed his nomination enthusiastically. The press of the State, with but a few exceptions, took up his cause and went against Gov. Brown in a solid phalanx. The Savannah *Republican* led a bitter, unsparing warfare against the Governor. The Augusta papers followed in the same line zealously. The Federal *Union* of Milledgeville and the Atlanta *Intelligencer* were the principal journalistic cham-

pions of Gov. Brown, and made pretty nearly a single-handed fight. The campaign waxed warm. The papers showered their diatribes against the unquailing Brown, who, refusing to make any canvass, devoted his energies to the gathering storm of war, leaving the people to attend to his campaign. He made but one public manifesto,—a sharp, trenchant, but well-tempered paper, stating his position clearly and firmly.

This short address to the people of Georgia was dated the 19th day of September, 1861. He showed that he was before the people of the State as a candidate before the convention assembled, and when there were no party organizations to render a convention or caucus necessary. Mr. Chambers, of Columbus, was also a candidate. The convention, if it had been a full one, representing the people, might have justly asked obedience to its mandates. But the convention did not even represent half of the counties of the State, while in many counties that had delegates the masses of the people had declared against the convention. The convention had failed to condemn his administration, and this failure he used effectively. He charged that the convention movement was simply a caucus of the politicians and office-seekers to rekindle the fires of party strife when our whole people should be a unit, for the protection of life, liberty, property and all that was dear to us. This point he pushed with vigor and plausibility. Perhaps the most characteristic part of this unmincing address was his frank way of dealing with the value of his executive experience to the State. He thus put this delicate matter:

"But it is insisted with much earnestness, that it has not been the *usage* for the same person to hold the office of Governor for three terms. This is certainly true, and it is equally true that it has not been the usage to have revolution, or to have a wicked war waged upon us, and the soil of our own State threatened to be drenched with the blood of her sons, shed by an invading army; nor has it been the usage for Georgia to have in the field thirty thousand troops, called out by her executive, whose duty it is to know when, and with what preparation each company went to the field, what had been supplied to them and what they lack, and to know the condition of the finances of the State, and her present means of affording the most speedy assistance to her suffering troops, as emergencies may require prompt action. Whether the public good requires that he who has conducted these affairs from the beginning, should retire in the midst of them, and give place to a new man, who has yet to learn the condition of the financial affairs of the State, and the location and necessities of our troops, is a question which the farmers, merchants and mechanics of our State are, I think, as competent to decide at the ballot-box, as a few politicians and political aspirants are to decide in caucus at Milledgeville."

Gov. Brown concluded by stating that he left the matter for the people to pass upon, not doubting that they would act for their best

interest. Like all of Gov. Brown's documents for the people, this plain, matter-of-fact business presentation of his cause was effective. It elicited criticism, abuse, raillery, but its common-sense notions seized the public intelligence. Every sort of accusation was heaped upon the Governor. He was charged with being arbitrary, unconstitutional, self-opinionated, greedy of power, assuming to be the State, inflated and vain. But the fighting went on, and he continued his grim war energy, and the newspapers thundered at him, and the people bent their souls to the bloodshed, unheeding the journalistic cannonade at his indifferent head, and when the day came to vote, they put him back in the great chair of state, then a herculean responsibility, by a splendid popular majority of 13,691 in a vote of 79,295. Gov. Brown received 46,493 votes, and Nisbet 32,802. The fight was whipped, and it was a remarkable personal victory, a tribute of popular esteem, of which any man might be proud, and crowning as it did, four years of exalted official trust, and overriding the precedent of a century, it was the grandest endorsement public opinion had ever given a public official in the annals of the good old Commonwealth.

CHAPTER XXIII.

GOV. BROWN'S STORMY TIME WITH THE LEGISLATURE OF 1861-2.

"A Nisbet Legislature that will give Brown the Devil."—Its Personelle.—T. M. Norwood.—Gov. Brown's Message.—Criticism of Confederate Legislation.—Gov. Brown's Third Inauguration in a Suit of Georgia-made Jeans.—Georgia War Matters.—The Transfer of Georgia Coast Troops to the Confederacy.—Our Coast Threatened.—Gov. Brown Urges Defense.—E. C. Anderson Runs the Blockade with Arms.—Vetoed.—The Two Wars—the North against the South, and the Legislature against Brown.—Brown's Message pending the Bill to Transfer Our Troops.—Legislative Anger.—Warren Akin Denounces Gov. Brown.—Judge E. G. Cabaniss.—Col. Chastain's Regiment Refused to be Transferred.—Savage Committee Report of Norwood.—Gov. Brown's Severe Reply.—The General Assembly hopelessly Divided.—Gov. Brown's Views finally Embodied.—Judges.—Toombs Elected C. S. Senator, and Scornfully Rejects it.—Confederate Congressmen.

"Brown is elected, but we have a Nisbet Legislature that will give him the devil," was currently reported to be the street gossip of the opposition. A lively session was betokened in this floating chaff, and the promise was fulfilled. The legislative deliberations of November and December, 1861, were unusually important, and in their picturesque animation suited well the war times. The body convened on Wednesday the 6th day of November. Hon. John Billups was elected President of the Senate, and Hon. Warren Akin Speaker of the House. In the Senate were the following gentlemen: George A. Gordon of Savannah; James L. Seward; D. A. Vason of Georgia, afterwards Judge; T. M. Furlow of Americus; J. T. Shewmake; W. Gibson of Richmond; M. W. Lewis of Greene; Wier Boyd of Lumpkin; A. J. Hansell of Cobb and Hiram P. Bell, afterward a member of Congress.

In the House among the leaders were, L. H. Briscoe; L. N. Whittle of Bibb; Thomas M. Norwood of Chatham, a United States Senator since the war; L. N. Trammell of Catoosa, afterward president of the Georgia Senate; George N. Lester of Cobb, elected subsequently to the Confederate Congress; Milton A. Candler of DeKalb, since the war a member of Congress; Robert Hester of Elbert; Z. B. Hargrove, a prominent Republican leader since the war; A. E. Cochrane; C. W. DuBose of Sparta; W. H. Felton of Macon; E. G. Cabaniss of Monroe; G. T. Barnes of Richmond; Peter E. Love of Thomas, ex-member of Con-

gress; B. H. Bigham of Troup and James S. Hook, afterward Judge of the superior court. Hon. Thomas M. Norwood was a small, unattractive looking gentleman, of little grace of oratory, but a person of some uncommon intellectual characteristics. He had a capacity of cold, strong logic and elaborate argumentation, coupled with a rich vein of caustic satire. Not a prolific speaker, he yet was after preparation a very strong one, and made, as a United States Senator, two elaborate speeches, that won him a national reputation. Another small, homely person, who developed after the war into a good prominence, and won some very flattering political victories, was M. A. Candler of DeKalb. A pale, low-browed, slender individual; he possessed a full, sonorous voice and an unusual energy of expression and delivery. He was a positive character, and earned justly his promotion.

The General Assembly met under circumstances of unparalleled interest and overwhelming import. We were in the very flood tide of war, straining every power, and threatened with an invasion of our own soil. The enemy was thundering at our portals, a large fleet beleaguering our coast. The emergency had to be met promptly and fully. It was unfortunate that there was a strong fragment of the body disposed to antagonize the Executive. If ever unity was desirable it was in that grave crisis. But somehow the drift to turbulence was irresistible. Men were affected by the temper of a revolutionary era. Difference of opinion rushed to extremes and speedily grew to acrimony. Discussions degenerated into disputes, and debates became altercations. There was, perhaps, no man in the State who was more fitted by nature for the combative spirit of the times than Gov. Brown. A belligerent campaign suited him wonderfully. Opposition brought him cordially to the front always, and aggression nerved every fiber of his soul to an indomitable resistance. His career shows that he never gave up while he could battle.

His message to the Legislature was a very lengthy and a strong state paper, breathing a spirit of stern manhood that represented faithfully the sentiment of the people. The philosophy of the war and the needs of the hour were masterfully argued. He criticised two acts of Confederate legislation that he deemed wrong, the one authorizing the President to accept State troops without reference to the State authorities, and the other, giving to the President the appointment of the field officers of the State volunteers. His recital of the war measures he had taken constituted a remarkable record of energy and responsibility. Georgia had on the first day of November, 1861, fifty regiments in ser

vice, of which she had armed and equipped thirty. It was an astonishing work. He urged an appropriation of three and a half millions for the military needs of 1862, the passage of a stay law, the legalizing further bank suspension and other vigorous war measures. He concluded his message with this ringing paragraph:

"I would cheerfully expend in the cause the last dollar I could raise, and would fervently pray, like Samson of old, that God would give me strength to lay hold upon the pillars of the edifice, and would enable me while bending with its weight, to die a glorious death beneath the crumbling ruins of that temple of Southern freedom which has so long attracted the world by the splendor of its magnificence."

The message elicited very high encomiums, and was especially complimented for its discussion of the means of perpetuating our institutions and preserving our commercial independence. The message, like the inaugural which followed his installation as Governor for his third term, urged unity and harmony among the members, and co-operation cordially in the trying ordeal through which they were then passing. Gov. Brown was re-inaugurated on the 8th of November, at 12 o'clock, dressed in a suit of Georgia-made jeans, and the accounts represent him as "deeply impressive and solemnly eloquent." It was certainly a striking situation that he held. His force of character and supreme leadership in a great public crisis had made the people demand the continuance of his administration in the face of long-honored custom. The *Atlanta Intelligencer* had stated by his authority that it was his personal desire to retire from the office. He had been re-elected over the most potential representative of the popular secession element in the State, by a splendid majority without making a speech. And he stood the chosen leader of a great commonwealth under all these impressive circumstances confronting the mighty revolution. His inaugural revealed his consciousness alike of the tribute and the burden. Nor was his attitude less dramatic because an organized and implacable minority stood facing him, eager and resolute to batter him down and crush him before the people. He was aware to the fullest extent of the determined hostility threatening him.

The report of the Comptroller General gave the details of the year's work. One million of dollars had been spent for military purposes. The banks had loaned the state \$842,500. The following regiments had been organized:

1st Regiment, Colonel C. J. Williams, Regular.

2d " " H. W. Mercer, "

1st " " J. R. Ramsay, Volunteer.

2d. Regiment, Colonel Paul J. Semmes, Volunteer.

3d	"	"	A. R. Wright,	"
4th	"	"	Geo. Doles,	"
5th	"	"	Jno. K. Jackson,	"
6th	"	"	A. H. Colquitt,	"
7th	"	"	L. J. Gartrell,	"
8th	"	"	W. M. Gardner,	"
9th	"	"	E. R. Goulding,	"
10th	"	"	L. McLaws,	"
11th	"	"	G. T. Anderson,	"
12th	"	"	Ed. Johnson,	"
13th	"	"	W. Ector,	"
14th	"	"	A. V. Brumby,	"
15th	"	"	T. W. Thomas,	"
16th	"	"	H. Cobb,	"
17th	"	"	H. L. Benning,	"
18th	"	"	W. T. Wofford,	"
19th	"	"	W. W. Boyd,	"
20th	"	"	W. D. Smith,	"
21st	"	"	J. T. Mercer,	"
22d	"	"	Robert Jones,	"
23d	"	"	T. Hutcheson,	"
24th	"	"	R. McMillan,	"
25th	"	"	C. C. Wilson,	"
Georgia Legion,	"	"	T. R. R. Cobb,	"
Phillips Legion,	"	"	Wm. Phillips,	"
1st Battalion,	Lt. Col. J. B. Villepigue,	"		"
2d	"	Major T. Hardeman,	"	"
3d	"	" Stoval,	"	"

Independent Georgia Dragoons, Captain I. W. Avery.

In camp in Georgia were also the following:

Regiment, Colonel T. J. Warthen, Volunteer.

"	"	Levi B. Smith,	"
"	"	David J. Bailey,	"
"	"	A. Littlefield,	"
5 Companies,	"	Wm. H. Stiles,	"
7	"	E. L. Thomas,	"
8	"	Aug. R. Wright,	"
7	"	A. R. Lamar,	"
1 Regiment,	"	C. W. Styles,	"

Gen. Henry R. Jackson had declined the position of Major General in favor of Gen. Walker, and was fighting in West Virginia as a Confederate Brigadier, and had made fame there winning the Greenbrier battle. Gov. Brown had appointed Gen. W. H. T. Walker Major General, who had resigned and accepted a position as a Confederate Brigadier General. Gen. Paul J. Semmes had been appointed Brigadier General, but resigned and accepted the Colonelcy of the 2d Georgia Confederate regiment. Gen. Phillips had organized a Brigade, but the Confederate government refused to take any Georgia appointed Generals, and he was commanding a legion. Gov. Brown had appointed George P. Harrison and F. W. Capers Brigadier Generals, both of whom had organized Brigades on the coast. Ira R. Foster was the state Quarter Master General, who had exhibited a signal efficiency in the arduous duties of this most important department. Col. J. I. Whitaker was appointed the State Commissary General. The Hon. Thomas Butler King had been sent as Commissioner to Europe to arrange a line of steamers for direct trade, under the act of the last legislature incorporating the "Belgian American Company," and giving the states guarantee for \$100,000 for five years.

While the legislature was in session a large Federal naval expedition captured Port Royal on the South Carolina coast, and threatened the Georgia sea-board. The attacking force had forty-one vessels. Commodore Tattnall had four small gun vessels, the Savannah, Lt. J. N. Maffitt; Resolute, Lt. J. P. Jones; Sampson, Lt. J. Kennard; and Lady Davis, Lt. J. Rutledge. The legislature called upon Gov. Brown for information as to the protection of the Georgia coast, to which Gov. Brown replied, showing the condition of our defences, and asking means to protect the state. He immediately called for additional troops. On the 19th of November he sent a message to the Senate, giving a detailed account of the past operations on the coast and his correspondence with the Secretary of War about the matter. On the 26th he addressed a message to the House, as the result of a conference with the House committee, in which he called attention to the fact that the military appropriation was exhausted, that he was borrowing money every day, and that it was with difficulty that he could maintain the troops in the field. The Confederate government was not doing all that was needed, and yet the state had to be defended, and he implored the representatives of the people to lay aside all differences of opinion and furnish the means to protect the commonwealth, reserving the settlement of accounts with the Confederacy for the time when the danger was past.

The foe was perfecting plans to capture Fort Pulaski, and thus control the coast. The danger was imminent. The delay of the legislature in voting means to effectually defend the sea front was the occasion of Gov. Brown's importunities and appeals, and of much popular censure and complaint. The legislature was halting, properly feeling that the Confederate authorities, that had the benefit of so large a contribution of Georgia soldiers and arms in other states, owed it to the state to give her protection. Gov. Brown participated in this feeling, but the aid was not forthcoming and the enemy was at the threshold, his "flag waving over part of our soil and insulting the state's sovereignty while it threatens the existence of her institutions, the liberties of her sons and the safety and purity of her daughters."

Again, on the 5th of December, 1861, Gov. Brown sent in a message to the General Assembly. He had been down in person to Savannah, conferring with Gen. Robert E. Lee, who was in command of the Southern coast. A timely arrival of 13,341 Enfield rifles, 4 cannons, 409,000 cartridges, 7 tons of shell and 500 sabres had been made, brought in by Col. Edward C. Anderson, through the Blockade from Europe where that gallant officer and gentleman had been sent by Gov. Brown, the importation alike testifying to Gov. Brown's providence and Col. Anderson's faithful vigilance and intrepidity. A proposition was before the General Assembly to transfer the Georgia troops called out by the Governor for service on the coast to the Confederacy, and if they were not received to disband them and get rid of the expense. There had been a growing breach between the Governor and the legislature, and it was charged by Gov. Brown's friends that this proposed legislation, involving delay in voting means and taking the short term state troops from Gov. Brown's control was a stroke at him. He had astounded, and displeased the legislature by vetoing a bill reducing the pay of the Judges and Governor fully a third; and a bill fixing the pay of the members at five dollars a day. These vetoes had stirred a bitter feeling in the General Assembly, and were regarded as Executive declarations of war. The reduction of the Governor's salary would not affect him personally, as it did not go into operation during his term. His veto of the pay of members was applying their views of economy to themselves. There is little doubt that a very bad feeling had arisen between the Executive, and a controlling majority of the General Assembly, and the battle between them became a stubborn and bitter one.

Some correspondent in the *Atlanta Intelligencer* aptly satirized the matter and avowed that the country was witnessing two well-established

wars,—that of the North against the South, and the other of the legislature against Joe Brown. There was no mistake about it either. The legislature took the war-path and made a lively fusilade against the unquailing and responsive Governor. Right in the midst of the discussion upon the transfer of our short-term state troops to the Confederacy, Governor Brown plumped a stiff, daring message into the body arguing against the proposed policy. The message fell upon the body like an exploding bomb-shell. The storm it created was something extraordinary. It precipitated the long-brooding battle. Recounting the emergency that led him to call out these state troops when the Confederacy had not placed adequate defenses upon the Georgia coast, and showing that he had foreseen and provided for the very emergency that had come, he proceeded to discuss what he termed the "fatal policy" that with the enemy on our soil in force and our safety imperilled would pause to count cost, and look to the contingency of disbandment of defense, and the abandonment of the state to the invader.

The Governor's message on this exciting subject at that heated time was a model of force and unanswerable logic, and the wonder is that any such proposition as he was combating was entertained. He showed that the destruction of property if the enemy took possession, would be ten times any cost of defense. He argued the right of the legislature to transfer the troops to the Confederacy without their consent, claiming such forced transfer as a violation of faith. While the President of the Confederacy could not accept them under the Confederate law, as they were organized under the different state law, with their brigade and company organizations in conflict with the Confederate law. He thus boldly ended this intrepid and aggressive message:

"If this fatal policy should be determined upon by the General Assembly, I will be responsible for none of the consequences growing out of it; and in the name of the people of Georgia, I now in advance enter my solemn protest against it. If the State troops are disbanded, or the appropriations to maintain them are made upon the condition that they be transferred or disbanded, which is equivalent to an order to disband them, it will become my duty, as the Executive of the State to proclaim to her people, that while the enemy is thundering at her gates, her representatives have left me powerless for her defense, by withholding the necessary means, and even taking from me those already at my command.

"If I have used strong language, I mean no disrespect. When all that is dear to a people is at stake, the occasion requires the utmost frankness and candor."

It is doubtful if in any of Gov. Brown's series of high-spirited conflicts with the legislative assemblies of Georgia, there was any one which exhibited more strongly the man's absolutely unconquerable

intrepidity and independence than this the stormiest of them all, and the culminating one. In none did he display so conspicuously that unhesitating self-reliance and fearless contempt of any amount of opposition that belonged to him. He never quailed for a moment or yielded an inch of his position. Even amid the clash of arms, this conflict stirred the state. An intense interest was felt all over the commonwealth, and the people endorsed the game Governor.

When the message was delivered to the House, the Secretary who transmitted it to that body, Mr. Buleau Campbell, stated that it was on the subject of "State defence." Offence was immediately taken at this, the Speaker, Col. Akin and others declaring that the message was an unwarrantable interference on the part of the Governor with the legislation then progressing. Mr. Whittle moved to take up the message, but the motion was lost. The message was read the next day, and Mr. Cabaniss moved to suspend the rules to introduce some resolutions denouncing the action of the Governor in sending into the House of Representatives an argument against the passage of the bill then under consideration for the public defense. The motion to suspend was lost. The bill was passed. The discussion was fiery and acrimonious. The bill was reconsidered the next day, and Mr. Cabaniss again attempted to get his resolution of censure in. The Speaker, Mr. Akin, yielded the chair to Judge Cochran and came upon the floor, and attacked the Governor's message unsparingly. His remarks were thus reported in the Milledgeville *Union*:

"Col. Akin remarked that the Governor had offered the grossest indignity to this House in the message thrust as an argument before us on yesterday. He proceeded to review the message. The Governor argued that the troops would not submit to the provisions of the bill displacing their officers. He bid the commander-in-chief and all his troops defiance to-day. Let them come with bayonets in their hands, and drive us from these halls, if they are not willing to acquiesce in the legislative action. He would bare his bosom to their bayonets and be the last to jump from these windows on their approach."

As may be conceived, a controversy between the two great co-ordinate branches of the State government, the Legislature and the Executive, as important and hostile as this, and conducted with such heat of temper and vigor of language, stirred a profound excitement all over the State. Gov. Brown's friends of the press roundly declared that the House of Representatives had "disappointed the people in all it has done, and in what it has not done, and from the Speaker down, with some honorable exceptions, demonstrated an incapacity or a want of inclination to maintain the chivalry and honor of Georgia." The offi-

cers of Col. Chastain's regiment of State volunteers, passed resolutions and sent them to the Governor to be transmitted to the Legislature, declaring that they were not the property of the General Assembly to be sold and transferred from one owner to another, and avowing that while pledging themselves to the Southern cause, they would not be transferred without their consent. And even the papers most inimical to Gov. Brown, like the *Augusta Chronicle and Sentinel*, while qualifying their commentary so as not to be misunderstood as being his general champion, approved his position against the transfer of these State troops.

The message of the Governor was referred to a special committee, consisting of Norwood, Love, Cabaniss, Schley and Lester, and withheld from the records until the committee could report. The committee on the 13th of December, 1861, made a savage report. It took ground that the message was an unwarrantable interference in the business of the House and in open, direct and palpable violation of the Constitution. It charged that the Governor had prostituted his high office in holding over the heads of the Legislature the threat of a disobedient soldiery, to deter them from the passage of a bill which he disapproved. It declared that the Governor had misrepresented their bill in saying that it contemplated leaving the State to the invasion of the enemy. It concluded with a series of resolutions, enumerating these charges against the Governor and ordering the message, with the report, to be entered upon the journals of the House. No official notice of this action was given the Governor. The Senate not participating in the action, the report was not the act of the General Assembly.

The report elicited a warm debate. Messrs. Whittle, DuBose, Hook and Cochran maintained that the Governor had the right to communicate as he had done. Mr. DuBose thought that the Governor intended no discourtesy, and deemed it unnecessary to spread the report on the journals. Mr. Hood moved as a substitute for the report, to spread the message and bill as passed, on the journals. Judge Cabaniss thought the report just. Mr. Smith, of Brooks, moved to put message, bill and report on the journals. Judge Cochran made a strong speech against the report and resolutions. Col. Akin exclaimed that he had done the Governor an injustice about the refusal of the troops to yield to legislative action. He did not think the Governor meant to convey the idea that the troops would be guilty of insubordination. He had sought the Governor to personally make the correction. Mr. Hook and Judge Cochran commended Col. Akin's conduct.

Gov. Brown came back at the House as aggressively as ever, protesting against the "injustice and misrepresentations" of the report. He deemed it due to the office he held to maintain its constitutional prerogatives against the unwarrantable assumptions of the House. The Constitution made it the duty of the Governor to give the Legislature "information of the state of the republic, and to recommend to their consideration such measures as he may deem expedient." He gave a synopsis of the bill reported by the finance committee, and showed that he had not misrepresented the measure before the House, and he added that if after his message was received the bill was relieved of its objectionable features, it was an evidence that the *argument* contained in the message was productive of a good effect. In reply to the charge of prostituting his office by transmitting the protest of the soldiers, he showed that the resolutions of Col. Chastain's regiment were sent to the House after it had acted, but he said that he trusted he might claim the forbearance of all intelligent citizens for "having laid the remonstrance of a regiment of brave State volunteers against an act of gross injustice to them before a body whose action had shown that its will was to perpetrate the act."

The Governor referred to the fact that the message was addressed to the General Assembly, of which the Senate was a part and which had taken no offence. The Governor had so overwhelmingly the best of the argument that he came out of this remarkable altercation with increased reputation for courage and firmness. The Legislature divided hopelessly; the Senate and House split up and antagonized each other; committees of conference were appointed, and finally resolutions of compromise were agreed upon and passed, which embodied Gov. Brown's views. They provided for a transfer of the State troops only with their consent, and for retaining them if not transferred. The sum of \$5,000,000 was appropriated for a war fund for 1862; also, \$200,000 for a Georgia Relief and Hospital Association; \$100,000 for the support of the State troops; \$100,000 for the relief of sufferers by the great fire in Charleston, South Carolina; \$50,000 to aid in manufacture of salt. The banks were allowed further relief and privilege of suspension. Resolutions were passed pledging the state to fight until peace was won; recommending the farmers to reduce the cotton crop and plant provision crops; and to prevent monopolies and extortions.

Among the other matters done by this General Assembly were the confirmation of the appointments made by Gov. Brown, of Charles J. Jenkins as Judge of the Supreme Court, and O. A. Lochrane, Judge

Macon Circuit, G. D. Rice, Judge Blue Ridge Circuit, N. L. Hutchins, Judge Western Circuit, E. H. Worrill, Judge Chattahoochee Circuit and W. W. Montgomery, Attorney General. The election for two Confederate State Senators resulted in Hon. Benjamin Hill being elected on the first ballot over Toombs, Johnson, Wm. Law, James Jackson and Alfred Iverson. The contest over the other senatorship was animated and protracted. The first ballot stood, Iverson, 85, Jackson, 35, Toombs, 49, Johnson, 22, James Bethune, 5, John P. King, 3, G. E. Thomas and J. E. Brown, 1 each. On the third ballot the vote stood, Iverson, 73, Jackson, 44, Toombs, 82. After the 5th ballot Iverson was withdrawn, and Toombs receiving 129 votes and Jackson 67, Robert Toombs was declared elected. Gov. Brown notified Mr. Toombs of his election, who declined the office, stating that he could better serve his state and country in the army than in the Senate. He went on to say in deep displeasure at the struggle over the election, "I deem it not inappropriate on this occasion, to say that the manner in which the legislature thought proper to confer this trust relieves me from any obligation to sacrifice either my personal wishes or my convictions of public duty in order to accept it." It was a characteristic thing in Mr. Toombs, a spoiled pet of popular favor, accustomed to win his political victories in a lordly way, and with the ease of Kingly right, to angrily spurn a triumph obtained after a close fight and when he had run through many ballots one of the minority candidates. It was openly charged at the time that the whigs had clutched the legislature, and it was a sort of confirmation of it that none but old whigs were elected, with one or two exceptions. And it was said that Mr. Toombs did not go through until the issue narrowed to him and Democrats of longer standing than himself.

The election for members of the Confederate Congress had resulted in the success of the following gentlemen:

- 1st District, Julian Hartridge.
- 2d " C. J. Munnerlyn.
- 3rd " Hines Holt.
- 4th " A. H. Kenan.
- 5th " David W. Lewis.
- 6th " W. W. Clark.
- 7th " R. P. Trippe.
- 8th " L. J. Gartrell.
- 9th " Hardy Strickland.
- 10th " Augustus R. Wright.

The dissolving of party lines had resulted in bringing in nearly every opposition leader. Judge Nisbet resigned from the Provisional Confederate Congress on account of ill-health. The ticket of electors put out by the convention that nominated Judge Nisbet, had no opposition and was elected, and cast the vote of the state for Davis and Stephens.

CHAPTER XXIV.

THE ORGANIZATION OF STATE TROOPS UNDER MAJOR GENERAL HENRY R. JACKSON.

The Permanent Confederate State's Government.—Georgians in High Civil and Military Office.—Gov. Brown's Famous Controversies with the Confederate Authorities and their Continuance of Georgia's Foremost Agency in the Revolution.—Georgia The Champion of Constitutionalism.—Old Leaders Swallowed Up.—Brown Lifts the State Supremacy.—Year 1862 begins Calamitously.—Address of Cobb, Toombs and Crawford.—Georgia's War Tax.—State Forces Organized.—Maj. Gen. Henry R. Jackson and His Patriotic Self-Sacrifice.—Tribute to Gen. Jackson by Gov. Brown.—Col. Chastain.—Funny Feminine Suggestion to Whip The Federals.—Pemberton Succeeds Lee.—Fort Pulaski Capture.—Col. C. H. Olmstead.—A Gallant Act.—Effect of This Loss.—Reorganization of State Militia.—Gov. Brown's Letter on Planting Cotton.—Gen. Toombs.

THE organization of the Confederate States Government under its permanent constitution was made on the 22nd day of February, 1862. Mr. Stephens was Vice-President. Mr. Toombs had gone into the army, giving up his place as Secretary of State. Mr. Philip Clayton of Georgia was Assistant Secretary of the Treasury. G. E. W. Nelson of Georgia was Superintendent of Public Printing. Gov. Brown appointed his old friend, Dr. John W. Lewis, Confederate State Senator in place of Gen. Toombs. Up to this time we had in the Confederate army from Georgia, Major Generals, David E. Twiggs, Wm. J. Hardee. Brigadier Generals, Henry R. Jackson, Wm. H. T. Walker, A. R. Lawton, Robert Toombs, W. H. C. Whiting, L. McLaws, H. W. Mercer, W. M. Gardner, John K. Jackson, Howell Cobb, J. B. Villepigue, T. R. R. Cobb, Ambrose R. Wright, Henry L. Benning, J. R. Ramsay, Paul Semmes, and Alfred H. Colquitt.

Some of Georgia's strongest men in statesmanship had gone into the army. Mr. Stephens soon became powerless with the Confederate administration on account of his decided difference of view with Mr. Davis upon vital measures. Neither of them were men to yield, and thus they soon drifted hopelessly apart. It therefore happened that Georgia, from having been a controlling power in the revolution, became almost a nullity at this time so far as concerned the guidance of its policy. But the time was soon coming when the state was to

resume her agency in matters, but it was to be on a different line entirely, and yet a consistent one. Georgia had led in breaking the Union to preserve the principles of constitutional government. She was destined to figure as an uncompromising opponent of Confederate encroachment upon the spirit and the law of the Constitution. And the man who was fated to bear the colors in this struggle was the Governor of Georgia, Joseph E. Brown.

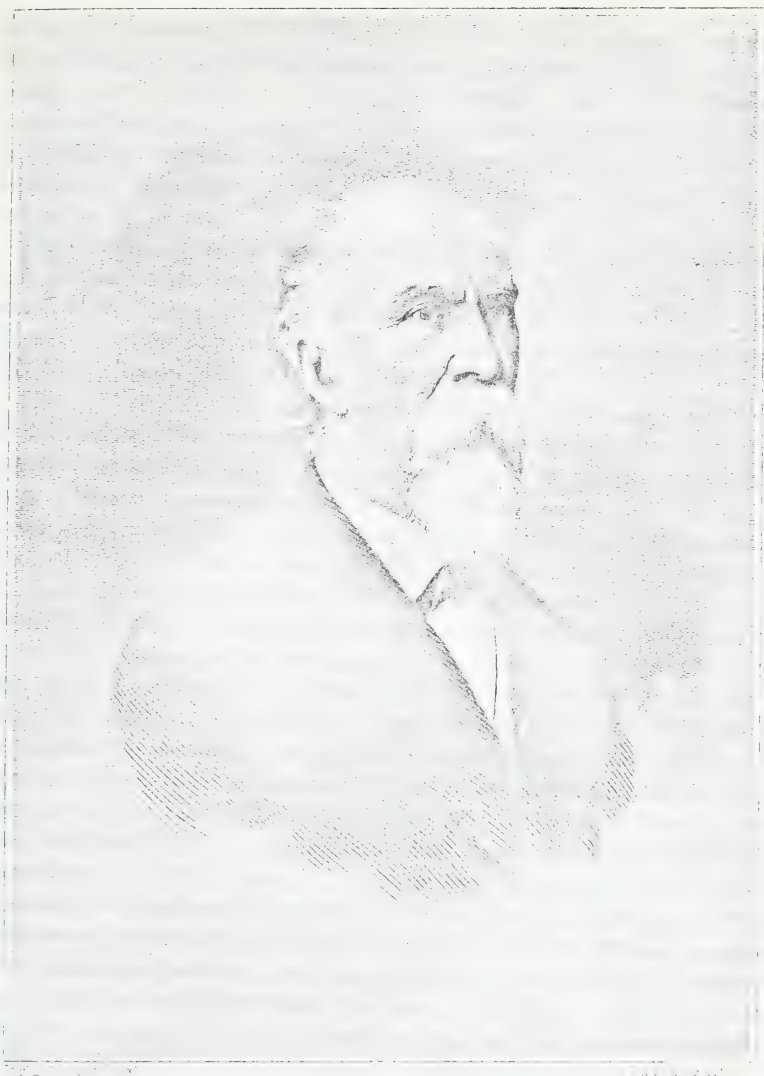
There has been much stricture upon his course, to the effect that the resistance to unconstitutional legislation should have been pretermitted in the hour of war. The time has come to discuss this question fairly and dispassionately. Was Governor Brown right or wrong in principle? It is admitted that he contended for a right thing, but it is claimed that it was done at an inexpedient time. No time is inexpedient to maintain the right. Right is always expedient. Where was the greater danger, from unconstitutional legislation, in a Federal or a Confederate government? If it was right to destroy the Union to preserve the Constitution, it was no less right to deny the sanction of endorsement to the extra-constitutional acts of the Confederacy. It is also true that the final result was not endangered by these conflicts of constitutional argument that placed Georgia in a noble attitude as the champion of that constitutional law and liberty for which we were fighting. If we were right and sincere in our going to war to secure our ideas of government, we then did right in maintaining them in the Southern republic. The reasoning is irresistible. Georgia in standing up for a strict observance of constitutional limitations did her duty, and she deserves the more credit that she did it amid all the temptation to ignore it that arose from the dangers of war and the anarchy of revolution. The consistency of the South was preserved by this splendid rôle that Georgia, under the leadership of Gov. Brown, pursued. It was a dutiful vindication of the conduct of the South in going into the war, and must so be regarded in the calm light of historic truth. There is no escaping the verdict. If we were right to fight for constitutionalism, we were right to oppose its sacrifice even in the stern exigencies of war.

The war absorbed our old leaders, swallowed them up, as it were, in the leveling atmosphere of the bayonet. Toombs and the Cobbs and other great spirits of statesmanship sank into excellent brigadiers among a host of others. Men like Stonewall Jackson, who in the calm of peace would have gone through life obscure and undistinguished; or like Forrest, who would have achieved an undesirable notoriety as successful negro traders, flamed into fame legitimately due to military genius and

surpassing achievement. Georgia had a host of brilliant soldiers and dazzling officers. She had her Hardees, Gordons, Wheelers, Tattnalls and a host of others of lower rank equally heroic and faithful. But so had other states, and we had no superiority. The whole South was brave and true. It was in this monotony of heroism that Gov. Brown raised the State to her wonted supremacy of influence by his bold, able and unanswerable maintenance of our constitutional consistency. And at this long day from that era, reading his masterly and exhaustive papers, written amid all the distractions of those tumultuous times, under all the tremendous inducements to passive subservience, they stand as unequaled demonstrations of intrepid personal conviction and exalted acts of august official duty. This is strong language, but it is due. There may have been an infusion of considerations not relevant, and an occasional betrayal of a stern temper into the indiscretion of severity, but admitting these minor defects, Gov. Brown's defenses of constitutional principle in his great and memorable controversies with the Confederate authorities, must be his most striking record of courageous and masterful statesmanship, and will constitute Georgia's most enduring claim to historic glory in connection with her sacrifices and contributions to the cause of Southern independence, State sovereignty and Constitutional government.

The year 1862 began calamitously for the South. Our expectation of a speedy end had been disappointed. The Federals had a force of 800,000 men in the field, and the South had 300,000. Kentucky and Tennessee had fallen into the Federal hands. Lodgment had been made on the coast of North Carolina by Burnside's expedition. Southern embassies to Europe had failed to secure intervention and even recognition. Just before the provisional government of the Confederacy ended, Howell Cobb, R. Toombs, M. J. Crawford and Thos. R. R. Cobb issued an address to the people of Georgia placing the situation clearly before them. What they called "unpalatable facts" were candidly given. The purport of the address was, that we were in a frightful conflict with a determined enemy, whose numbers and resources we could not equal, and we could only succeed by a united and unconquerable resistance that would put the torch to every home before yielding it to the foe. The address discarded hope of foreign interference as remote, and expressed confidence in the final result.

A requisition was made upon Georgia for twelve additional regiments. The Confederate war tax on Georgia amounted to \$2,494,112.41, and was promptly raised by the issue and sale of State bonds, Gov. Brown



Henry R. Jackson.

having the amount in hand before it was due. Ten per cent. was saved by relieving the Confederate authorities of the direct collection from the people, and in addition to this the Comptroller General, Col. Thweatt, discovered an error in the Confederate assessment of \$60,016.16, which his vigilance saved to the State. The banks patriotically advanced two millions of the amount to the Governor as early as February, the tax being due April 1st.

The operations on the Georgia coast in the early part of 1862 were very active. Gov. Brown selected Gen. Henry R. Jackson for the command of the State forces on the coast, and nominated him as Major-General, in chief command of all the State troops, which nomination was unanimously ratified by the Senate of Georgia.

This gallant officer had served brilliantly in the Mexican war as Colonel of a regiment. His service in West Virginia during 1861 had been conspicuous and valuable. The operations in that locality were ended. Gen. Jackson therefore hailed joyfully the prospect of a change to Georgia, his own State, whose coast was the object of Federal attack. The selection of Gen. Jackson for this duty was a deserved recognition of his merit, and a compliment of which he could well be proud. Gov. Brown immediately sought to have him ordered on this congenial and honorable mission, he welcoming gladly a transfer from inactivity to a field of peril and usefulness—that field his own beloved State, and he urged the change. It was one of those strange acts of the Confederate administration that it so frequently did, to disregard this call for this worthy officer. The campaign in Virginia had ended; by far the larger portion of Gen. Jackson's command had been withdrawn from him and sent elsewhere; he had been ordered into winter-quarters *within hand-ling distance* of the remnant. All eyes were directed to the Southern sea-board as the scene of operations for the winter. Gen. Lee, who was in command on the Southern coast, as he told Gov. Brown, preferred Gen. Jackson to command the Georgia troops, and had been "negotiating" with the war department for him at the time. Eager to accept the flattering call of his own State from an inactive to active duty, Gen. Jackson applied for leave of absence to take the more perilous service in Georgia, but was sternly and inexplicably refused. With that chivalric patriotism that belonged to the man, Gen. Jackson resigned the coveted commission which he held in the Confederate army, feeling that he could not ignore the demands of his own people menaced with danger, to stand peaceful watch in the then quiet mountains of West Virginia. Gen. Jackson as Major-General of the State troops had under him

Brigadier Generals George P. Harrison, F. W. Capers, and also, William H. T. Walker, who had resigned from the Confederate service. Gen. Jackson coöperated with Brig. Gen. A. R. Lawton, who had command of the Confederate forces and the territory comprehended in the Department of Georgia. Brig. Gen. H. W. Mercer of the Confederate army commanded Savannah. Gen. Robert E. Lee was in command of the extreme Southern coast, including Georgia and South Carolina.

Gen. Jackson received orders direct from Gov. Brown. His Adjutant General was Lt. Col. Charlton H. Way. During the brief campaign of a little over three months in which the state troops were in service, there was a vast deal accomplished. Gen. Jackson was very zealous, and between himself and Gen. A. R. Lawton, commanding the Confederate troops, there existed an admirable accord. The official correspondence of Gen. Jackson's division shows many interesting, as well as some lively episodes. Gov. Brown gave a close supervision to every detail of the service. The Governor entertained a cordial regard and admiration for this capable and distinguished officer. In his message to the General Assembly in the following November, in referring to the state troops Gov. Brown used this language about Gen. Jackson:

"It is but justice to Major General Jackson, that it be remarked that he had, with untiring energy and consummate ability, pressed forward the preparation of the defenses and the training of the army, and that the people of Georgia owe much of gratitude to him for the safety of the city of Savannah and its present freedom from the tyrannical rule of the enemy. There is not probably an intelligent, impartial man in the state who does not regret that the services of this distinguished son of Georgia should not have been properly appreciated by the Confederate authorities, and that he should not, after the Georgia army was transferred, have been invited by the President to a command equal to his well-known ability and merit. This was requested by the Executive of this state, which request was presented to the President by her entire delegation in Congress."

Col. E. W. Chastain, who commanded the 8th regiment of Gen. Walker's Brigade, was arrested by Gen. Walker for using severe language to Major O. C. Myers, the Assistant Adjutant General of the Brigade. The Governor knew the value of the volunteers and their spirit too well to disgrace officers on account of a hasty ebullition of profanity, and insisted that Col. Chastain should not be punished beyond arrest. Capt. Henry Cleveland, in charge of the Savannah arsenal, had been the editor of the *Augusta Constitutionalist*, and was a writer of genius. In his position in the Ordnance Department he appears not to have had very harmonious relations with Major Lachlan McIntosh,

the Chief of Ordnance for the state. Writing in January to Gen. Jackson, Major McIntosh thus discoursed:

"It is but right for me to say that I fully appreciate Captain Cleveland's eccentricity, and deeply regret that there is not some other field open to that gentleman wherein to exercise his wondrous administrative abilities."

A lady signing herself "P. M. L.," made the following unique suggestion for the defense of the city of Savannah, stating that she had been trying to think up a plan to "expel the Yankees" from the coast and had hit upon this plan.

"To put on board of boats about 500 or 1,000 barrels of turpentine (first having made a calculation of the speed of the water of the Savannah river, so as to allow the proper time to elapse), and go to within a mile of the fleet (during the night) and at different distances have the turpentine turned out along across the water, having allowed the proper time to elapse from the turning out of the turpentine, for it to reach the fleet, as it will not mix with the water. Then set fire to the turpentine poured upon the water, and it will do them much damage, if not entirely rent them. Now if you will head the expedition to see that all is done at the proper time, and in order and no failure, I think somebody will be hurt. It at least will be worth trying. I only give the initials of my name below, as I do not wish you for a moment to think that I, a lone female, should dictate to one of your experience and judgment what should be done."

This feminine invention is solemnly filed among the patriotic archives of that exciting period. Gen. Lee was transferred to another department, and Maj. Gen. Pemberton assigned to the command of this department. The enemy inaugurated the series of movements that resulted in the loss to the Southern cause, and to Georgia, of Fort Pulaski. Tybee and Warsaw Islands were covered with Federal troops. The inlets of our coast swarmed with Federal vessels. Skidaway and Green Islands were abandoned by Gen. Pemberton. The line of defense was confined to the main land. By the 22d of February, the Federals succeeded in a complete isolation of Fort Pulaski, by removing the obstructions in Walls Cut and thus entering the Savannah river in the rear of the Fort. Commodore Tattnall succeeded in effecting a passage to the Fort in the very teeth of the Federal gunboats, and supplied the garrison with six months' provisions. Eleven batteries were thrown up on Tybee Island.

The garrison of Fort Pulaski consisted of 365 men and 24 officers, under command of Col. Charles H. Olmstead, a gallant and capable officer. He was a graduate of the State Military University at Marietta, and combined in a striking degree the graces and culture of the true gentleman with the intrepidity and skill of the soldier. Gen. David Hunter commanding the Federal forces, demanded the surrender of the

Fort on the morning of the 10th of April, 1861, and Col. Olmstead replied briefly that he was there "to defend the fort, not to surrender it." The bombardment began and continued for two days. The main fire of the foe was directed on the south-east angle of the fort. The guns in it were all dismounted, and a large breach made through which the shot and shell went directly to the magazine. Retreat was impossible, and further defense impracticable. The Fort was surrendered, at half past two o'clock, the 11th day of April, 1862, honorable terms having been granted the garrison. Col. C. C. Jones in his well-written sketch of the Chatham Artillery, relates an incident of personal daring that occurred during this siege that deserves preservation. In the second day's bombardment, in a storm of shot and shell the flag was shot down. Lt. Christopher Hussey, of the Montgomery Guards (Capt. Guilmartin), and private John Latham, of the Washington Volunteers (Capt. McMahon), leaped upon the parapet, upon which the fatal hail of battle was raining an unbroken torrent, disentangled the fallen symbol of defiance, coolly carried it to the north-eastern angle of the fort and floated it gayly to the ball and breeze on a temporary staff, erected for the occasion on a gun carriage. It was an intrepid act of personal heroism.

The loss of Fort Pulaski stimulated the preparation for the defense of the land. The term of enlistment of the troops was expiring in many cases. The hot fever of the early days of the war had very much quieted down. The effervescence had dissolved. Men were not so eager to fight. A year of actual service had dissipated the poetry of soldiering. Men had come to a recognition of the cold realities of a desperate conflict. There was a decided toning down of that buoyant eagerness for enlistment that so marked the inception of the struggle, but it was still true that the men of Georgia came forward willingly to the serious work in store for us and not to be avoided. The loss of Fort Pulaski stirred every patriotic heart in Georgia. It nerved every man and woman to resistance, and to cordially persevering in the duty of the hour.

Gov. Brown issued a Proclamation for a complete organization of the militia with a view to a draft if there were not voluntary enlistments. The State troops had almost unanimously voted against a transfer to the Confederate war authorities. In recognition of the grave crisis the 7th day of March was appointed as a day of Fasting, Humiliation and Prayer. The use of corn in the distillation of spirits was prohibited by proclamation to prevent the consumption in that way of grain needed for food. A reward of \$5,000 was offered for the discovery of any salt

springs or wells that would afford 300 bushels of salt a day, the Governor taking the responsibility of proclaiming such reward without authority. Gov. Brown paid a visit to the coast early in April, and reviewed and addressed the State troops. In this speech he complimented their defense of the sea-board, and urged them to re-enlist, making an earnest appeal to their patriotism.

A vital subject at that time was the policy of the farmers of planting provision crops instead of cotton. Judge Linton Stephens in behalf of a number of citizens addressed a note to Gov. Brown asking his views on this matter. The reply was an able discussion of the subject. He said that we had more to fear from the production of cotton than any other disadvantage. The ordinary sources of provision supply were very much diminished. We would have to rely upon ourselves for food. The reply ended with an appeal to the farmers to do their duty in this crisis. Hon. Alex. H. Stephens came to Georgia and made a strong speech, urging the people to continued energy and sacrifices in the prosecution of the war, and in this speech he pressed the paramount necessity of raising ample food crop. Gen. Toombs incurred much odium by his course on this matter, he boldly insisting upon raising upon his own plantation nearly full crops of cotton. And the following dispatch from Gen. Toombs brought him considerable animadversion.

“RICHMOND, June 11, 1862.

“*To Messrs. Geo. Hill, A. F. Newsom and Wm. Carter, Committee.*

“GENTLEMEN:—Your telegram has been received. I refuse a single hand. My property, as long as I live, shall never be subject to the orders of those cowardly miscreants, the Committees of Public Safety of Randolph County, Ga., and Enfaula. You may rob me in my absence, but you cannot intimidate me.

“ROBERT TOOMBS.”

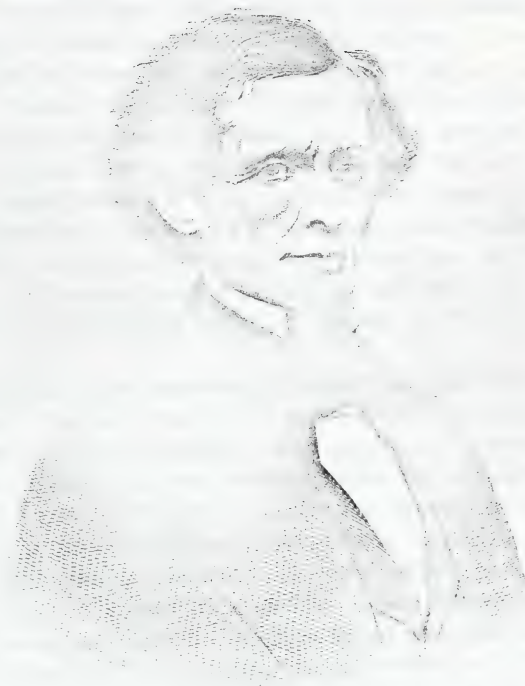
County meetings were held in which the farmers pledged themselves to drop cotton and raise provisions.

CHAPTER XXV.

BROWN AND DAVIS IN THEIR GREAT TUSSLE OVER CONSCRIPTION.

The Conscription Act.—Not Needed in Georgia.—Col. A. H. Kenan and Gov. Brown.—A Cabinet Place in Brown's Grasp.—The Correspondence between Gov. Brown and President Davis.—A Model of Statesmanlike Controversy.—The Discussion.—A Mile-stone of the Revolution.—Mr. Davis' Treatment of the Controversy in his "Rise and Fall of the Confederacy."—A One Sided Presentation.—Both Sides Fairly Given in this Volume.—Gov. Brown Obeys the Act.—The State Troops Turned Over.—The Officers Refused.—Gen. H. R. Jackson's Farewell Order.—Gov. Brown's Order.—This State Force Episode Romantic.—The Folly of the Confederate Administration.—The Arrest of Col. Ben. Laugbridge.—Col. C. J. Williams.—Col. Walter Ector.—Mrs. C. J. Williams.—Hon. Alfred Iverson.—Unverified Prophecy.—The Fanny Blunder of the Types.—"Stripped Wives."—The Audacious Attempt to Seize the State Road.

THE Conscription Act passed the Confederate Congress in April, 1862. Its passage was the result of the military stress. Mr. Davis recommended the measure in a special message, and the Confederate Congress promptly passed it, under decided and considerable opposition. It was not needed in Georgia. For every requisition there was more than ample volunteering. Under the last call for twelve regiments, Gov. Brown furnished eighteen. And he expressed the belief that he could have raised fifty regiments if Mr. Davis had called for so many. The spirit was still rife for volunteering, and it continued to be a difficult matter to reconcile captains of companies who were left out of regiments. From the time the Conscript Act was enforced in Georgia, there was a greater reluctance to go to the field than had ever before been shown. Even after that, however, there was no difficulty in furnishing troops promptly and in larger numbers than called for, if they had the right to form their regiments at home, and elect their own officers. It was the practice at the North at the same time that Mr. Lincoln made requisition upon the Governors of States for troops, to furnish them organized into regiments. And there was no difficulty in Georgia about getting plenty of troops when they were allowed the privilege of organizing and electing their own regimental officers. That practice would have given regiments in our State as long as there were men out



Jefferson Davis.

of which to make them. This right of organization they considered the Constitution clearly guaranteed to them, and they set great store by it.

It must ever remain a mooted point, whether the Conscrip't Law was a benefit or an injury to the Southern cause. It was claimed a necessity, and therefore enacted and enforced for this reason. Its opponents bitterly disputed its necessity, while as urgently arguing its unconstitutionality. It may well be doubted when people have been dragged by law to the forced support of a cause, and when they will not voluntarily rally to such cause, whether success can be achieved. Be this as it may, conscription was never necessary in Georgia. The most determined opposition to the Conscrip't Law came from this State. And the controversies that ensued between Gov. Brown and Mr. Davis and his Secretary of War were matters of intense and universal Southern interest, and the antagonism resulting became as bitter as it was historic.

There is a curious and interesting incident connected with this act of conscription. The Act awakened a general and lively interest and provoked a warm public discussion. The people were prepared for it before it came. Every effort was made to harmonize popular sentiment upon it that it might go off well. Among the special friends of Mr. Davis was Col. Augustus H. Kenan, one of our Georgia Confederate congressmen, representing the district in which Milledgeville lies. He was well known over the State, of imperious force of character, a large, handsome, imposing person, rather haughty and aristocratic, but possessing ability and honor. He was known to be a friend of Gov. Brown, and was probably for this reason selected for the mission of which we are speaking. It was known that Gov. Brown was not favorable to the Conscrip't Act. Col. Kenan came to Georgia, and seeking an interview with Gov. Brown, he tried in a long and earnest talk to reconcile him to the support of conscription, or at least, to induce him to make no opposition. The conversation became very animated, and at times stormy. Both were positive men, both combative, both unyielding, both of a dominating temper. Col. Kenan plied every argument and persuasion to the placid but determined anti-conscriptionist, but in vain. Gov. Brown would not yield to logic or entreaty. He was firm and immovable. In the course of the interview, Col. Kenan intimated to Gov. Brown that a place in the Cabinet of Mr. Davis would be at his command if matters went harmoniously. But Gov. Brown would not yield his place as Governor of the great State of Georgia for any

Cabinet office. The mission was unsuccessful, and towards the close, the interview became very warm, both gentlemen getting emphatic and somewhat plain spoken. And they parted in spirited disagreement, and under considerable display of feeling against each other; but in their next meeting, having cooled, their temporary misunderstanding was laid aside and they resumed their wonted friendliness of intercourse, based upon a hearty respect and reciprocal regard.

The first important correspondence was between Gov. Brown and Mr. Davis, and was on the constitutionality of the Conscript Act, and was conducted with great ability and dignity on both sides. It was a model of statesmanlike controversy, lofty, courteous, argumentative and powerful. Both showed themselves masters of the subject—each presenting his side with striking force. The first letter of Governor Brown was dated April 22, 1862, and notified Mr. Davis of his receiving a copy of the Conscription Act and of his turning over the state forces in compliance therewith to the Confederate command. He went on to state that Georgia had seceded from the Union because the Federal government had disregarded the rights of the states. He contended that the Conscription Act puts it in the power of the Confederate Executive to disorganize all state troops and destroy Georgia's state government by disbanding her law-making power. Under the Conscript Act every officer of the state governments, the state employes, the mechanics, railroad operatives and state military officials, etc., can be forced into the Confederate service. It was unconstitutional for the Confederate Executive to have such power. He argued that the act was in conflict with the Constitution, which reserves to the states the right to appoint the officers of and train the militia. He declined to have anything to do with the enrollment of conscripts, leaving the execution of the conscript law to the Confederate authorities, reserving any test of the constitutionality of the act for consideration when it may less seriously embarrass the Confederacy in the prosecution of the war. He desired to know what exemptions would be made. Mr. Davis replied briefly on the 28th of April, 1862, inclosing copies of various acts exempting certain classes from military service. The wager of battle was thrown down in the following condensed utterance: "The constitutionality of the act you refer to as the 'conscription-bill,' is clearly not derivable from the power to call out the militia, but from that to raise armies."

Governor Brown's second letter, dated May 9, 1862, started out with the assurances that while as an individual or Executive he proposed to

give Mr. Davis all aid possible in the war, he did not propose to commit the state to a policy subversive of her sovereignty and at war with the principles for which Georgia entered the revolution. The Conscription Act could not aid in getting more arms, but more men, and as more men could be enlisted than could be armed, the act was not necessary. As to the constitutional point he argued that all the grants of power given by the Constitution to Congress must be construed together and be subject to that paragraph which reserves to the states the right to appoint officers. The grant to raise armies refers to regular armies, and not those composed of the whole militia of all the states; and if under such grant all of the militia of the states could be used by Congress, with the power of appointment of officers, then the constitutional provision securing the states the reserved rights over militia was a nullity. The debate on the Federal Constitution shows how sacredly this right of the states was regarded and preserved. This letter wound up with this strong paragraph:

"Should you at any time need additional troops from Georgia to fill up her just quota in proportion to the number furnished by the other states, you have only to call on the Executive for the number required, to be organized and officered as the Constitution directs, and your call will, as it has ever done, meet a prompt response from her noble and patriotic people, who, while they will watch with a jealous eye, even in the midst of revolution, every attempt to undermine their constitutional rights, will never be content to be behind the foremost in the discharge of their whole duty."

Mr. Davis wrote his second letter on the 29th of May, 1862. His Cabinet, Attorney General and a majority of Congress believe the conscription constitutional. The power of Congress to raise armies under the Constitution was broad and unqualified. It could raise armies without limitation as to method or material, and to any extent necessary. The necessity in this case was urgent, to prevent the disbandment of twelve-months' troops whose times were out. The militia of a state are only militia when called out and organized, and are not the citizens taken singly. The power of Congress to call out state militia is different from the power to raise armies. The grant of exclusive power to raise armies is not restricted by a grant of divided power over militia. They are two distinct subjects. The armies and the militia are necessarily raised out of the same material. The power to enlist must be co-extensive with the exigencies of the occasion, and the extent of the exigency must be determined by Congress. The existence of the Confederacy being threatened by vast armies, the Congress had in its power called for, not militia, but men to compose armies. Mr. Davis

wound up his letter with these sentences, the first remarkable in the light of the final result:

"At some future day, after our independence shall have been established, it is no improbable supposition that our present enemy may be tempted to abuse his naval power by depredation on our commerce, and that we may be compelled to assert our rights by offensive war. How is it to be carried on? Of what is the army to be composed? If this government cannot call on its arms-bearing population otherwise than as militia, and if the militia can only be called forth to repel invasion, we should be utterly helpless to vindicate our honor or protect our rights. War has been well styled 'the terrible litigation of nations.' Have we so formed our government that in this litigation we may never be plaintiff? Surely this cannot have been the intention of the framers of our compact.

"In conclusion, I take great pleasure in recognizing that the history of the past year affords the amplest justification for your assertion that if the question had been whether the conscription law was necessary to raise men in Georgia, the answer must have been in the negative. Your noble State has promptly responded to every call that it has been my duty to make on her; and to you personally, as her Executive, I acknowledge my indebtedness for the prompt, cordial and effective coöperation you have afforded me in the effort to defend our common country against the common enemy."

Gov. Brown's third letter was dated June 21, 1862. It expresses the conviction with great diffidence that Mr. Davis has failed to sustain the constitutionality of the Conscription Act. He calls attention to the omission of Mr. Davis to answer that part of his argument which established that the contemporaneous construction of the Federal Constitution nor the earlier practice of the Federal Government sustained the constitutionality of conscription. This letter is a very lengthy and exhaustive one. He takes Mr. Davis to task for assuming such a strong Federalist position, as that Congress is the judge of its own powers. He says that he had for years regarded Mr. Davis as one of the ablest and boldest defenders of the States' Rights school. Gov. Brown quotes liberally from the utterances of Madison and Calhoun and from the Virginia resolutions. He follows the exercise of the power claimed for Congress to its full extent, alleging it would make Congress supreme over the states, placing the very existence of the State governments subject to the will of Congress. It can compel the Governors of States, Judges of State courts, State militia officers to go into service as privates in the Confederate armies, and thus practically disband the State governments whenever Congress shall judge that it is necessary. The very exemption acts of Congress are assertions of the unconstitutional and dangerous power that Congress claimed and that Gov. Brown opposed.

Gov. Brown argued at very considerable length the sound policy of allowing the State troops to organize themselves and choose their own

officers. The right to select their own officers was one dearly cherished by the troops, and they did better service when allowed the privilege. The volunteers clung to the right tenaciously. The Conscription Act embraced so large a proportion of the militia officers in Georgia that it would absolutely disband the organized militia left at home, and leave the women and children helpless against negro insurrection. Gov. Brown wound up with these very kind words:

"If I have used strong language in any part of this letter, I beg you to attribute it only to my zeal in the advocacy of principles and a cause which I consider no less than the cause of constitutional liberty, imperiled by the erroneous views and practice of those placed upon the watch tower as its constant guardians.

"In conclusion, I beg to assure you that I fully appreciate your expressions of personal kindness, and reciprocate them in my feelings toward you to the fullest extent. I knew the vast responsibilities resting upon you, and would never willingly add unnecessarily to their weight, or in any way embarrass you in the discharge of your important duties. While I cannot agree with you in opinion upon the grave question under discussion, I beg you to command me at all times when I can do you a personal service, or when I can, without a violation of the constitutional obligations resting upon me, do any service to the great cause in which we are so vitally interested."

The third letter of Mr. Davis, dated July 10, 1862, disclaimed any sentiment that "Congress is the final judge of the constitutionality of a contested power." He adds that "the right of each state to judge in the last resort whether its reserved powers had been usurped by the general government is too familiar and well-settled a principle to admit of discussion." Mr. Davis concludes thus:

"As I cannot see, however, after the most respectful consideration of all that you have said, anything to change my conviction that Congress has exercised only a plainly-granted specific power in raising its armies by conscription, I cannot share the alarm and concern about state rights which you so evidently feel, but which to me seem quite unfounded."

July 22, 1862, Gov. Brown wrote his fourth letter, which concluded this memorable correspondence between the President of the Confederacy and the Governor of the leading Southern state upon the most important act of Confederate legislation. In this letter Gov. Brown struck Mr. Davis a center stroke and turned his own fire upon him. He insisted that in all regiments organized in the State, and turned over as organized bodies to the Confederate government, they should be permitted to elect their own officers to fill vacancies. He made this demand with the greater confidence because in the Mexican war, when President Polk tendered Mr. Davis (then colonel of a gallant Mississippi regiment) a commission as brigadier general for heroic services, Mr. Davis declined the appointment on the ground that the President had no right under

the Constitution to appoint a brigadier general to command the State volunteers then employed in the service of the United States Government, but that the State alone could make such appointments. If such was the constitutional difficulty then, certainly, under the same provisions, the Confederate Government could not appoint not only the brigadier generals but the field and company officers of State troops. The profound interest created by this controversy pervaded the whole Confederacy. The importance of the subject, the high position of the gentlemen and the ability and dignity of the letters make the discussion one of the mile-stones of the revolution.

Mr. Davis in his "Rise and Fall of the Confederacy," recently published, prints his own letter of the 29th of May, 1862, as his presentation of his own side of the question, except that he omits the paragraphs complimenting Gov. Brown and the State of Georgia. He also fails to extend to Gov. Brown the justice of publishing his side of the question. The discussion was so important, able and exhaustive on both sides, that it is deemed a matter of sufficient historic interest and value to print in "Appendix B" of this work the letters in full of Mr. Davis of the 29th of May, 1862, and of Gov. Brown of June 21st, 1862, as embodying the full argument of each distinguished gentleman for and against the great subject of Conscription. The reader can for himself contrast the elaborate pleas.

But notwithstanding his effort to preserve the sanctity of constitutional principle, Gov. Brown gave a practical and instantaneous obedience to the Confederate law. Hon. G. W. Randolph, the Confederate Secretary of War, telegraphed Gov. Brown on the 15th of April, 1862, of the passage of the Conscription Act, which placed in the Confederate service all men between 18 and 35 years of age, not legally exempt. Gov. Brown the same day responded by telegraph, "I propose to turn over the troops who yet remain in service with the responsibility to you, immediately, in such manner as may be most agreeable to the President." This unhesitating and unconditional co-operation with the Confederate authorities should satisfy all fair-minded men that Gov. Brown in defending the principle for which he was fighting was governed by a high and commendable sense of duty, and was entirely consistent with a devotion to the cause and an energy in its maintenance, that were not surpassed in the whole vast extent of the struggle.

Mr. Randolph telegraphed to Gov. Brown to keep his troops together, and employ his State enrolling officers. Gov. Brown telegraphed on the 16th to Maj. Gen. Henry R. Jackson the expiration of his command,

and directing that the Brigade commanders under him with their commands report to Brig. Gen. Lawton. He tendered his thanks to the officers and men for their patriotic conduct, and justly stated that "the works around the city of Savannah will relate to posterity the skill, intelligence, energy and patriotism of the State troops of 1861-62." Gen. Jackson, on the 16th, issued his order bidding farewell to his Division, in which he used these words:

"While he confesses to a keen disappointment in the disorganization of his command before it had encountered the enemy in battle, he feels strengthened by the conviction that whenever, or under whomsoever, its elements may be called into action, they will exhibit not only the heroism of Georgian's fighting for their liberties, but the force and efficiency of drilled and disciplined soldiers."

Gov. Brown issued an order, which, like the farewell order of Gen. Jackson, is a touching and graceful expression of feeling. In it he used this remarkable language—remarkable in connection with the Conscription Act, in illustrating the conscientious purity of his position in regard to that measure.

"The country is now in great peril, and the city of Savannah threatened with an early attack. Under these circumstances *whatever may be your opinion or mine of the wisdom or propriety of the Conscription Act*, it behooves us all as Georgians and patriots, to sacrifice our personal interests, feelings and aspirations upon the altar of our common country. I therefore admonish each and every one of you, to perform in the future, as you have done in the past, all your duties as soldiers, with promptness and cheerfulness, and to remain in the service without regard to the expiration of your respective terms, till Savannah is safe, and the invaders driven from the soil of our beloved State."

Taking it all in all the episode of this gallant division of state troops was a right romantic one, and of striking interest, and its transfer was full of touching features. Called into existence under a doubtful authority, yet through a masterly prescience of the future in Gov. Brown, it was vindicated by the very emergency that he foresaw and that it remedied, and it was a crowning tribute to his daring readiness to assume responsibility for the public good. It was this quality in Gov. Brown that made him so valuable, so famous and so popular during the war. Signally clear-sighted and absolutely fearless, he unerringly divined future necessities, and fearlessly acted while other men deliberated. He did whatever he believed for the best, leaving consequences to take care of themselves. Nor was there any vacillation or looking back after he had acted. He shrank from no opposition or criticism, but confronted the logic of his deeds with unflinching intrepidity.

The legislative battle over the State troops was a highly colored act of this lively drama. And it tested Gov. Brown's supreme nerve in adhering to his will. It looked as if the legislature would crush him out. It raised the black flag against him, nearly, and in its collective majesty thundered his destruction, its august aggregate of condemnation striking him in his single-handed isolation. But he stood like a rock, defied their arguments, recriminated their denunciation, and boldly appealed to the people. They sullenly yielded the victory, which he firmly clutched from their unwilling hands. But when the treasured fortification of Pulaski fell and the sea-board was beleaguered with fleets and armies, and the brave troops he had so long before called into service on his own audacious and questionably authorized volition stood the safe-guard and protection of Georgia's liberty, then did he receive the full meed of praise and gratitude due to what was heroic personal and official sense and courage.

Perhaps the most interesting matter connected with this superb division of state forces, this noble little Georgia army was the generous self-sacrifice of its officers, who so promptly laid down their cherished commissions and with them the opportunity of that exalted ambition, which so largely enters into both the patriotism and military glory of the soldier's career. Can it be wondered that a directing administration should finally fail that so woefully blundered as to throw over the superb officers who led this division, who had organized and disciplined it, and who could point to a proud piece of handiwork, renounced in a lofty spirit of self-abnegation, that deserved recognition. There was not in the comprehension of both armies a brighter galaxy of military spirits than the division and brigade commanders of this rare little force, and yet not one of them was retained by the Confederate government, the command being received by regiments and battalions. It was a cruel injustice and a fatal folly. And the aggregate of such blunders helped the ultimate defeat.

The injustice was especially reprehensible in connection with the heroic and capable commander of this superb division, Gen. Henry R. Jackson. In the Mexican war he had served with Mr. Davis, and there had been some intercourse not entirely smooth. Mr. Davis has been noted for carrying with him the memory of resentments. There would be no severe stretch of probabilities to read in the treatment of Gen. Jackson the invisible stimulus of an unforbidden prejudice. He had, in order to take this state command at the call of his native commonwealth, been forced to lay down his brigadiership, a leave of absence

for that purpose having been refused him by the Confederate government. He had wrought his division to superb organization and efficiency. In the hour of proud consummation he uncomplainingly yielded it up to the Confederate authorities to avoid embarrassment created by his rank, and retired to the ranks, even offering himself as a private in the company he had taken to Mexico. The people of Florida, through a committee, called for him to command there, but another was assigned to that duty.

A Georgia delegation from the army of Tennessee applied for Gen. Jackson, but the President received the application in silence. When Gen. Cobb was ordered to the command of a military geographical division, embracing Florida and a part of Georgia, he wrote to Gen. Jackson to ascertain whether he would desire the command of a district under General Cobb, should a plan which he had submitted, dividing his command into two districts, be adopted. Gen. Jackson replied that he would be thankful for any position in the field, and wrote to Gen. Cooper, the Confederate Adjutant General, soliciting the appointment. Gen. Cooper replied in a brief note that, as the President did not approve of Gen. Cobb's plan, Gen. Jackson's "services were not needed." It was a strange purpose that withheld service from an eager, gallant, skilled and experienced officer of such consummate ability, who so urgently and variedly sought military duty.

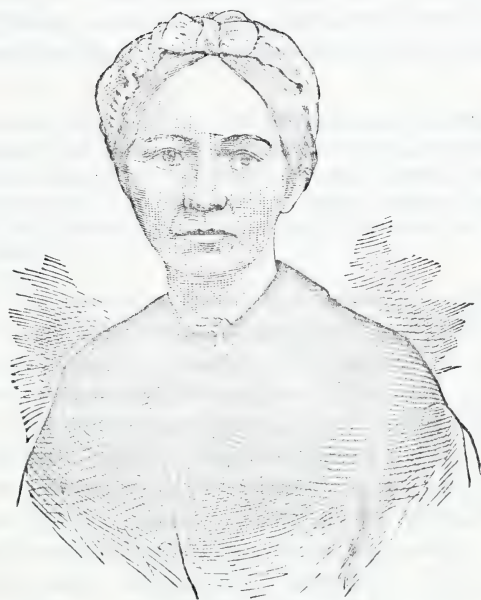
Gen. Jackson was finally restored tardily to his Brigadier's rank in the Confederate army when the ill-fated struggle was drawing to its close, and with a noble brigade skillfully handled, he accompanied Hood to Tennessee. He shone in every battle, and finally in the lines before Nashville he held his place until both flanks were driven back, and was captured by overwhelming numbers. He was retained as a prisoner of war until the surrender of the armies of the Confederacy, which occurred a few months afterwards, and thus honorably terminated the military career of this brave, accomplished and patriotic officer.

Several incidents occurred that demonstrate Gov. Brown's quality of decision. Upon the issuance of Gov. Brown's order stopping the distillation of whiskey, Col. Laughridge, the commanding colonel of the Murray county militia, not only denied the right of the Governor to issue the order, but himself disobeyed it by running a still. The Governor immediately ordered the arrest of Col. Laughridge, and he was court-martialed, convicted, and fined \$500. When the Governor ordered the seizure of salt, he took one thousand bushels belonging to A. K.

Seago of Atlanta. Mr. Seago was paid for his salt and receipted for the money. The salt was placed in charge of William Watkins, one of the military store-keepers of the State. Mr. Seago filed an action of Trover against Mr. Watkins, and made the necessary affidavit to put him under \$32,000 bail. Gov. Brown promptly ordered the sheriff to release Mr. Watkins from arrest and abstain from any further proceedings, declaring that in time of war, with the enemy on our soil, he could not permit military operations to be hindered by civil authority. Learning that there was some talk of the sheriff refusing to obey the order, the Governor issued an additional instruction to Gen. W. P. Howard, commanding the 1st Brigade of the 11th Division of the militia, to use any force necessary to prevent Watkins' incarceration in prison, or if imprisoned, to release him and arrest the sheriff. This settled the matter and quieted the sheriff.

During the early part of 1862, two very valuable Georgians died, Col. C. J. Williams of Columbus, colonel of the 1st Georgia Regulars, and Col. Walter Ector of the 13th Georgia Infantry, both gentlemen dying from disease incurred in the service in Virginia. Col. Williams stood very high in the State, and had been prominent in our politics. He had been Speaker of the House of Representatives. He had in a high degree, the confidence and esteem of Gov. Brown. His widow, Mrs. Mary A. Williams, originated the beautiful "Decoration Day" that has become an established custom of the country, North and South, since the war. And she also conceived and started into actual operation, from Georgia to Virginia, the beneficent system of "Wayside Homes" for soldiers, that did so much good during the war. She was the daughter of Major John H. Howard, a noted politician and railroad president. In 1846, she presented a flag to the 1st Georgia regiment, commanded by Col. Henry R. Jackson, her prospective husband, C. J. Williams, being Major, whom she married after the Mexican war. She died in Columbus, at the house of her son, on the 15th of April, 1874, and was buried with military honors. Her grave is decorated every memorial day. She sent her only son to the war at fourteen years of age. In Appendix "C" will be found the original communication, written to the Columbus *Times*, suggesting the "Memorial Day" custom. A son of hers, C. H. Williams, is one of the leading journalists of the State, now publishing the *Atlanta Gazette*.

Upon the refusal of Mr. Toombs to accept the election as Confederate States Senator, the Hon. Alfred Iverson, ex-United States Senator, published a letter declaring that he would not accept the appointment from



Mary Ann Williams

MRS. MARY A. WILLIAMS, AUTHOR OF THE DECORATION DAY CUSTOM.

Gov. Brown, the legislature having defeated him for the office. He took occasion to refer to his famous Griffin speech, to which reference has been made in this volume, and which elicited so much hostile commentary, and was declared to have buried him politically. In that speech he had declared for disunion on the ground that the abolitionists meant to destroy slavery, and separation alone would save slavery. He had been discarded for that speech, but called attention to the verification of his views, and the fact that the people now stood with him. The concluding sentences of this letter of the distinguished ex-Senator are a striking expression of the confident spirit of the times, and like many other prophecies of that day, read incongruously in the light of the final result. In complacent review of his disunion efforts, Mr. Iverson thus spoke:

"Our liberties will be won; our government will be maintained; our independence achieved and acknowledged by all nations. The blasts of 'wild war' will subside and gentle peace return to bless and smile upon our beloved Southern homes. Having contributed all in my power to bring about these glorious results, I ask no more than to enjoy in peace and quiet the blessings of freedom under a government for which my heart has yearned for years."

An amusing mistake occurred in connection with the patriotic spirit of the people as shown in the willingness expressed to strip their roofs to furnish material to mould into cannon. The matter was generally discussed. In the over-mastering desire to aid the cause, the people were ready to make any sacrifice and give up any property that could be used. The Adjutant General of the State, Gen. Henry C. Wayne, wrote to a Savannah lady in reply to an inquiry about utilizing brass and copper for manufacturing cannon. The letter was published in the *Savannah News*, and contained this expression: "I mention this that we may not have *our wives stripped to no purpose*." The letter was widely copied and evoked a volley of comment and speculation as well as raillery. The *Atlanta Commonwealth* solemnly declared that "an official announcement of the fact was uncalled for." It seems that the General's letter should have been printed with the word "*roofs*" instead of wives, which would have made the expression read, "I mention this that we may not have our roofs stripped to no purpose." The *Atlanta Intelligencer* stopped the very ridiculous agitation with an explanation of the matter, and trusted that the good wives of the country would be satisfied and pardon that printer's blunder.

In April of this year, 1862, occurred a most audacious attempt of some Federal spies on the State road. The leader in it was a man by

the name of Andrews, who was at the head of a band of twenty-two men. He was a tall, black-bearded man, wearing a military black overcoat with a large cape. The object of the men was the destruction of the thirteen bridges on the Western and Atlantic railroad, besides general damage to the road. The project was more daring than feasible, or of any practical utility, as it contemplated injury that could so soon be remedied. But it illustrates the spirit of adventurous hazard that prompts bold men in war times. These men got on the train at Marietta and at Big Shanty, some twenty-five miles from Atlanta, uncoupled the engine and three cars from the passenger train while the passengers were in at breakfast, and made for Chattanooga. Mr. W. A. Fuller, the conductor, with Mr. Anthony Murphy, the superintendent of the road shops, and the engineer Jeff Cain, started on foot in pursuit. They soon reached a hand-car, and gathering reinforcements as they went along they pushed vigorously for the audacious depredators. It was a long and an exciting chase. At Acworth the track was blocked with forty or fifty cross-ties, and the telegraph wires were torn down for a quarter of a mile. Reinforced by another hand-car and ten more men, they swept on, to be tumbled in a ditch near Etowah by the torn-up track at a short curve. Here an engine was obtained belonging to Hon. Mark A. Cooper, and also a coal car. At Kingston the artful spies had made up a story about carrying ammunition to Beauregard, and duped the switch keys from the agent. Here the Rome engine was obtained and they dashed on twenty-five minutes behind the bridge burners.

Near Adairsville they came upon a torn track. Fuller and Murphy took it afoot and met the down train at Adairsville and turned its engine back, having to stop every short while to remove cross ties from the track. A mile and a half beyond Calhoun they came in sight of the flying fugitives, who dropped a car to stop the way. Near Resaca another car was detached. The indomitable Fuller switched these two cars on a sideling at Resaca and dashed on. The spies had loaded their remaining car with cross ties, and dumped them out at intervals to block the way. The trouble with the ready-witted fellows was that their steam was giving out. The oil-cans and everything else inflammable were hurled into the diminishing fire. In sight at Dalton and also at the Tunnel, they drove their engine to the last. At Dalton they piled up cross ties. At Ringgold the engine began to flag, and several miles beyond the race was over, though they venomously reversed their engine to collide with ours, and then they took to the woods. The pursuit through the country was as vigorously

pressed, mounted men having started out from Catoosa. Andrews when captured, offered \$10,000 to be released. He had several thousand dollars on his person. The whole number of the spies, twenty-two, was caught and carried to Knoxville, where they were tried by a court martial convened by Gen. Ledbetter, commanding the post. Col. Leander W. Crook was President of the Court Martial. The prisoners were defended by Hon. John Baxter and Judge Galt. The man Andrews proposed the scheme to Gen. Mitchell at Shelbyville, and was to be paid \$60,000 in gold if successful. Seven men of the 2nd Ohio regiment volunteered, and fourteen of the 21st Ohio Regiment were detailed on this duty. Andrews and the seven volunteers, named Wm. Campbell, Geo. D. Wilson, M. A. Ross, P. G. Shadrack, Samuel Slavens, S. Robinson, and John Scott were convicted, and hung near Atlanta. Andrews was executed in June, 1862, near Walton Spring, and the others south-east of the Atlanta cemetery. The 14 detailed men were not tried, and afterwards were regularly exchanged. The father of M. A. Ross, who lives in Christianburg, Ohio, came for his son's body after the war. Col. W. J. Lawton was commanding the Post of Atlanta at the time, and O. Winningham was the officer of the day.

CHAPTER XXVI.

A GLOOMY CHAPTER OF WAR'S RAVAGE.

Georgia had Done her Whole Duty.—Negroes for Coast Fortifications.—Gov. Brown's Strong Message on Conscription.—Sentiment Conflicting —Conscription Tested Judicially.—A Warm Time in the Legislature.—Linton Stephens' Great Speech —Calumny by the Governor upon the Supreme Court Charged by Judge Cabaniss.—C. S. Senators Elected.—Called Session of the General Assembly.—The Stupendous Measure of the State assuming the Confederate War Debt.—Gov. Brown against it.—Appalling Figures of Indigence.—Desperate War Stress.—A Beautiful Incident of Gov. Brown.—He gives his surplus Corn to the Poor.—Large Loss of Georgians.—Gen. T. R. R. Cobb Killed —Gen. Lee's Exquisite and Touching Letter.—Ben, Hill the Prop of Davis' Administration —The Curious Interweaving of the Lives of Hill and Brown.—Gov. Brown's Rare Joke.—The Militia Officers put in the Ranks.—Tory Troubles

THE Legislature held its second annual session, beginning November 6th, 1862, under much brighter auspices than its session of 1861. The Confederate cause was in the ascendant. We had achieved some great victories in Virginia, Lee defeating McClellan, Pope and Burnside in swift succession. Stonewall Jackson had dazzled the continent by his marvelous triumphs. Shiloh in Tennessee and Elkhorn in Missouri had adorned Southern valor. Bragg had made his brilliant Kentucky incursion. Confederate prowess had been illustrated by success in grand battles against great odds. William L. Yancey, who had been sent as a Commissioner to Europe to induce intervention if possible, returned stating that the people of that continent were against us on account of slavery. This enunciation, publicly made, had satisfied the South that we must depend upon ourselves for independence. And the splendid successes of our arms had inspired us with buoyant confidence in our ability to triumph.

Georgia had done her whole duty. She had sent 75,000 men to the field. We had sixty-one infantry regiments, five cavalry regiments, sixteen infantry battalions, three cavalry battalions, two legions and four ranger battalions, besides scattering companies and large numbers of individual soldiers sent under the conscription act to fill up existing companies. Our cavalry regiments were:

1st Georgia Cavalry, Colonel J. J. Morrison.

2nd " " " " W. J. Lawton.

3d Georgia Cavalry, Colonel M. J. Crawford.

4th " " " I. W. Avery.

5th Partisan Rangers, " S. J. Smith.

The cavalry battalions were commanded by Lieut. Colonel Charles Spalding, Major M. Cumming and Major D. L. Clinch. The Fourth Georgia Cavalry was organized under Confederate authority. The germ of it was the Georgia Mountain Dragoons, raised by Capt. I. W. Avery, in Whitfield county. It was increased by Capt. Avery, first to the 23d Battalion of Georgia cavalry, and then to the 4th Georgia cavalry regiment. The Dragoons participated in the campaign of Gen. Albert Sidney Johnson, including the battle of Shiloh. Girardey's Georgia Battery also fought in that battle. The Dragoons were an independent scouting company connected with Gen. Hardee, and was once complimented by Gen. Beauregard, commanding the army, for penetrating the Federal army lines and bringing out important information at a critical time. The following infantry regiments we had in addition to those reported at the opening of the session last year:

26th Regiment, Colonel W. H. Atkinson.

27th " " L. B. Smith.

28th " " T. J. Warthen.

29th " " W. J. Young.

30th " " D. J. Bailey.

31st " " C. A. Evans.

32d " " Geo. P. Harrison, Jr.

33d " " A. Littlefield.

34th " " J. A. W. Johnson.

35th " " E. L. Thomas.

36th " " J. A. Glenn.

37th " " A. F. Rudler.

38th " " George W. Lee.

39th " " J. J. McConnell.

40th " " Abda Johnson.

41st " " C. A. McDaniel.

42d " " R. Henderson.

43d " " Skid Harris.

44th " " R. A. Smith.

45th " " Thomas Hardeman.

46th " " P. H. Colquitt.

47th " " G. W. M. Williams.

48th " " Wm. Gibson.

49th Regiment,	Colonel A. J. Lane.
50th	“ “ W. R. Manning.
51st	“ “ W. M. Slaughter.
52d	“ “ Wier Boyd.
53d	“ “ L. T. Doyal.
54th	“ “ C. H. Way.
55th	“ “ C. B. Harkie.
56th	“ “ E. P. Watkins.
57th	“ “ W. Barkaloo.
59th	“ “ Jack Brown.
60th	“ “ W. H. Stiles.

While our Georgia coast was constantly threatened, the summer had witnessed comparative quiet on account of our warm climate. The fall brought more activity. The Brigadier General in command, H. W. Mercer, had made strenuous efforts to get Savannah and other points properly entrenched and fortified. He had called upon the Confederate authorities for assistance, which was refused. He had then appealed to Gov. Brown, who issued a proclamation asking the planters to promise a portion of their slaves for such work. The response was meager. And when the legislature met the necessity for labor to complete the defenses of Savannah was reported to the body.

Gov. Brown's message gave to the General Assembly the military work of the year in Georgia. Of the five millions appropriation \$2,081,004 had been expended: 8,000 state troops had been employed and supported for six months; the state's quota of Confederate war tax, \$2,494,112.41, had been paid; a state armory had been established in the Penitentiary which was turning out 125 good arms a month; and arrangements had been made in Virginia for the manufacture of salt. The Governor recommended measures for the prevention of the distillation of grain; provision for soldiers' families; the seizure of factories and tanneries to furnish clothing for the soldiers; a tax upon cotton to prevent its production; the continuance of state military; and the appropriation of three millions for military purposes.

Governor Brown sent a special message to the General Assembly upon the subject of conscription. The Confederate Congress had passed an additional act, extending conscription to embrace all men between 35 and 45 years, and compelling them to enter old organizations until they were filled to a maximum number. Gov. Brown had immediately written to Mr. Davis that he should not permit enrollment under the new law the few weeks until the Legislature met and acted

on the subject, as it would practically disband his state militia, and urged Mr. Davis to call for the troops he wished as he was authorized to do under the old laws. His special message furnished to the Legislature a copy of his letter to Mr. Davis, and proceeded to discuss the whole subject in a lengthy paper of surpassing ability, presenting the issue whether Georgia, ready to furnish more than her quota of men and means, should submit to a method of enlistment that degraded her soldiers and violated the very state sovereignty for which the war was inaugurated. He covered the ground embraced in his correspondence with Mr. Davis, a summary of which has been given before in this volume.

This clear vigorous message created a profound sensation and a conflicting variety of comment. There was little difference of opinion upon the illegality of conscription. But there was a decided conflict upon the policy of insisting upon state rights and constitutional restrictions in the existing emergencies of the war. And there was also a fixed diversity of view upon the policy of conscription. Some of the ablest men in the State thought with Governor Brown, among them the Stephens brothers, Gen. Toombs, ex-Gov. Johnson and others. The Cobbs, Mr. Hill, and others were for sustaining conscription. A case was made before Judge Thomas and another before Judge Iverson L. Harris, to test the constitutionality of conscription. Judge Thomas decided it unconstitutional, and Judge Harris sustained its constitutionality. Both decisions were able and elaborate. The case decided by Judge Harris of Asa O. Jeffers conscript, *versus* John Fair, enrolling officer, was carried to the Supreme Court, and the decision of the constitutionality of conscription affirmed, Judge Jenkins delivering the opinion. The court held, however, that the officers of the State were not subject to conscription.

A warm discussion of the matter was precipitated in the General Assembly by a message from Gov. Brown on the 13th of November, 1862, communicating the fact that an incursion of Federal negro soldiers had been made in Camden county, and property destroyed and ladies insulted. Col. Henry Floyd, commanding the Camden militia, asked leave to call out the militia to defend the county. Doubting his authority under the Conscription Act, and its approval by the Georgia Supreme Court to call out the militia, Gov. Brown requested the legislature to give direction in the matter and instruct him whether as Governor he had the right to use the militia to defend our imperiled homes. He stated in this message that the decision of our Supreme

Court had been made under heavy outside pressure, and the counsel on both sides had agreed in their individual opinion that the decision should be made as it was made.

The Senate promptly passed a resolution authorizing the Governor to call out the militia. The resolution was immediately transmitted to the House and there occasioned an able and warm debate. Strange to say there was opposition to the resolution. Judge Cochran moved a substitute to inform the Secretary of War and ask help, and in the meantime to call out the militia. Judge Cabaniss moved the reference of the whole matter to the military committee, which was done. On the 14th the military committee reported, adopting the part of Judge Cochran's substitute that called on the Secretary of War, but instead of authorizing the call of the militia, in the meantime resolving to take immediate action upon bills then pending. The discussion that ensued upon this matter continued for days, and was marked by a good deal of bitterness.

Judge Linton Stephens made a speech of great power, taking strong ground against the Conscription Act. He showed that conscription had been put upon the country "from no necessity, from no conviction of necessities, but from premeditation and deliberation." This speech was, perhaps, the finest ever made by this sinewy debater, and made a profound impression. He defended Governor Brown from the charge made by Judge Cabaniss, that the Governor had uttered a calumny upon the supreme court, a charge showing the heat that was pervading the discussion. The interesting question was also sprung that the decision of the court was not binding upon the legislature, which was a coördinate power of the government. Mr. Norwood replied to Mr. Stephens with great vigor and ability. The debate went on for days. Some idea may be formed of the interest it excited and the intensity of feeling that existed from the fact, that at the election for Confederate States Senator on the 18th of November the issue was openly raised by Mr. Whittle as to the position of the candidates on the conscript law and the decision of the supreme court. This was after the first ballot, which had resulted in: H. V. Johnson, 84 votes; James Jackson, 59; R. Toombs, 24; Howell Cobb, 6; T. R. R. Cobb, 12; Alfred Iverson, 3; A. H. Chappell, 1; Wm. Dougherty, 1; J. W. Lewis, 7; J. E. Brown, 1; A. R. Wright, 1; H. V. M. Miller, 2.

None of the gentlemen voted for had been put in nomination but H. V. Johnson and James Jackson. When Mr. Whittle sprung the conscription issue, Mr. Vason remonstrated against such an issue. Mr.

Whittle said that he understood Gov. Johnson to believe the conscription act unconstitutional, but he would support the law and the administration. Judge Jackson and Mr. Cobb favored the law and sustained the administration. Mr. J. H. R. Washington and Mr. Candler both thought the discussion inappropriate, while Mr. Stephens protested against the proceeding as extraordinary and out of place, and calculated to convert the legislative hall into a hustings and to draw party lines. The second ballot gave the election of Herschell V. Johnson, he receiving 111 votes; Jackson, 40; Dougherty, 24, and Toombs, 14.

The House appears never to have acted on the Camden county matter. The joint committee on the State of the Republic made majority and minority reports on the conscript law. The majority report was presented by Judge E. A. Cochran, chairman, and declared that the Confederate government could not raise armies by compulsion, only through requisitions on the states, leaving each state to exercise such compulsion as may be necessary in her own case and to appoint officers; and all laws of the Confederate Congress using direct compulsion without requisition and impairing the right of the states to choose officers were unconstitutional. The majority report, however, declared that Georgia would furnish her just quota of troops and leave the conscription acts undisturbed, reserving such rightful remedies as may be demanded by future emergencies.

Judge E. G. Cabaniss presented the minority report, signed by himself and J. A. L. Lee, S. L. Barber, W. J. Reese, Z. B. Hargrove, Geo. S. Black, Peter E. Love, O. L. Smith, L. D. Carlton and Geo. T. Barnes. This report declared the Conscript Acts constitutional, recommended acquiescence in the decision of the Supreme Court, and that the Governor countermand all orders suspending the execution of the Conscript Act. These reports were discussed in both houses by the ablest men, and numerous substitutes were offered, but the legislature adjourned on the 13th of December, 1862, without taking any action, to convene on the 4th Wednesday in April. The General Assembly passed acts limiting the cultivation of cotton to three acres to a hand; appropriating \$500,000 to supply the people with salt; \$100,000 for cotton cards; \$545,000 to obstruct our rivers; \$400,000 for the Georgia Relief and Hospital Association; \$1,500,000 for clothing for our soldiers; \$2,500,000 for the support of the indigent widows and families of deceased or disabled soldiers; \$1,000,000 for a military fund; \$300,000 to remove indigent white non-combatants from any part of the State threatened with invasion. This aggregated over six millions appropriated for war

purposes. The Governor was authorized to raise two regiments for home defense, and to impress hands to perfect the defenses around Savannah. The General Assembly further passed a resolution that "Savannah should never be surrendered, but defended street by street and house by house, until if taken, the victors' spoils should be alone a heap of ashes."

Just before the adjournment of the legislature, Governor Brown sent in a message urging that some action be taken to secure to our volunteers the right which they were seeking to elect their own officers in vacancies occurring in regiments already in service. But nothing was done.

Gov. Brown convened the legislature by special proclamation, on the 25th of March, 1863. This was done to urge that the law be altered allowing the planters to cultivate three acres of cotton to the hand. The great question of the revolution was one of BREAD, and the farmers must produce bread and not cotton. In his message this matter and others were discussed. The project was mooted at that time of the states assuming the Confederate war debt, and several states, Alabama, Florida, Mississippi and South Carolina had agreed to do this. Governor Brown opposed the policy with wonderful acumen, taking ground for giving aid to the Confederate government by direct taxation. This measure occasioned a heavy struggle in the General Assembly. There were majority and minority reports and debates and substitutes innumerable, but finally a bill authorizing the guarantee of the bonds of the Confederate States on Georgia's proportionate share of \$200,000,000 was defeated by four votes.

The fund of two and a half millions for the indigent families of soldiers was distributed between the two sessions, and the distribution reported at the March session. The figures are interesting and pathetically demonstrative of the devotion of our people to the cause and the ravages of that great war among our patriotic population. The vast total of the unfortunate beneficiaries of this generous fund was 84,119. Of this terrible number of war indigents, 45,718 were children, and 22,637 kins-women of poor living soldiers; 8,492 were orphans, and 4,003 widows of deceased and killed soldiers, and 550 were helpless soldiers, disabled in service. These are appalling figures for less than two years' warfare for a single state of the Union, and they testify with overwhelming emphasis to the awful magnitude and destructiveness of the struggle. No words can bear such impressive witness to the deadly drift and extent of that revolution as these simple statistics.

The plain, unvarnished truth is that the pressure of that day was something desperate. Georgia had three-fourths of her voting population fighting in other States, who were clamoring for proper clothing and food. Her own borders were threatened by a merciless enemy. And poverty and destitution were raging among her people. The orders and appeals with which the papers were filled, will afford some conception of the stress. There were calls for troops, orders for deserters, appeals upon appeals for clothing and shoes, proclamations doling out salt by the half bushel, savage prohibitions of whiskey distillation, impressments of negroes for fortifications, begging for hospital funds, lists of dead and wounded and diseased soldiers. It was a dolorous and incessant activity. Every heart and every hand were busily at work, thinking, toiling, straining in the single, overshadowing cause of brutal war.

Gov. Brown devoted himself with an herculean and grandly self-abnegating zeal to the war. A beautiful incident is related of him, that touches even at this long day, from its occurrence. He went up to his farm in Cherokee for a day, in March, 1863. A gentleman on official business followed him. As he neared the farm, the gentleman overtook a large number of wagons and carts, and foot passengers, going the same way as himself. When he arrived at his destination he found a host of other vehicles and people, and Gov. Brown in person, engaged at his corn crib in the gratuitous distribution of some four thousand dollars' worth of corn and shucks to the poor people of the county in proportion to the size of their families and their wants. These people receiving his generous bounty were the families of the soldiers from Cherokee county, and he was giving to them every bushel of his surplus corn. Said the narrator of this incident:

"The sight was a most grateful one to our traveler, who came back to Atlanta, impressed with the double conviction of Gov. Brown being not only a good Governor, but a good man. The grateful tears which he saw in the eyes of the good women of Cherokee who were being made the recipients of Gov. Brown's patriotic liberality, made an impression upon him which he says will be lasting, and which has taught him not to be chary in his charities in the future."

It is little to be wondered at that Gov. Brown had gained such a hold upon the masses of the people in that dreadful time. He not only drove straight to practical success in every measure he urged or attempted, but he gave practical daily evidence of his sympathy with the wants and sufferings of the unfortunate. He showed the most subtle perception of the popular wishes, and at the same time he boldly

ignored the trammels and circumlocution of official red tape. Every controversy he had with any authority or power but strengthened him with the masses, and was a battle in their interest. In the Camden county matter, he was protecting the coast, and the delay and opposition of the General Assembly but magnified his own daring and eager readiness to go to the aid of the alarmed. His fight against conscription was for the two-fold purpose of vindicating the cherished sovereignty of the State, and assuring to our volunteers a recognition of their rights and manhood. Add to all this, unquestioned championship of the people's wishes and interests, his boldness and common-sense genius, and then cap the whole with his unsolicited devotion of his means to a generous charity, and it would have been a marvel if he had not clutched the public heart with a resistless grasp.

During the year 1862, the Georgia troops suffered very much. Generals Toombs, Lawton, and Ranse Wright were all wounded, and Col. C. A. McDaniel of the 41st Georgia, and Gen. T. R. R. Cobb were killed. The death of Gen. Cobb was the occasion of the following beautiful and feeling letter from Gen. Lee.

"CAMP NEAR FREDERICKSBURG, }
Dec. 18, 1862. }

"Gen. Howell Cobb. General, I beg leave to express my deep sympathy in your great sorrow. Your noble and gallant brother has met a soldier's death, and God grant that this army and our country may never be called upon to mourn so great a sacrifice.

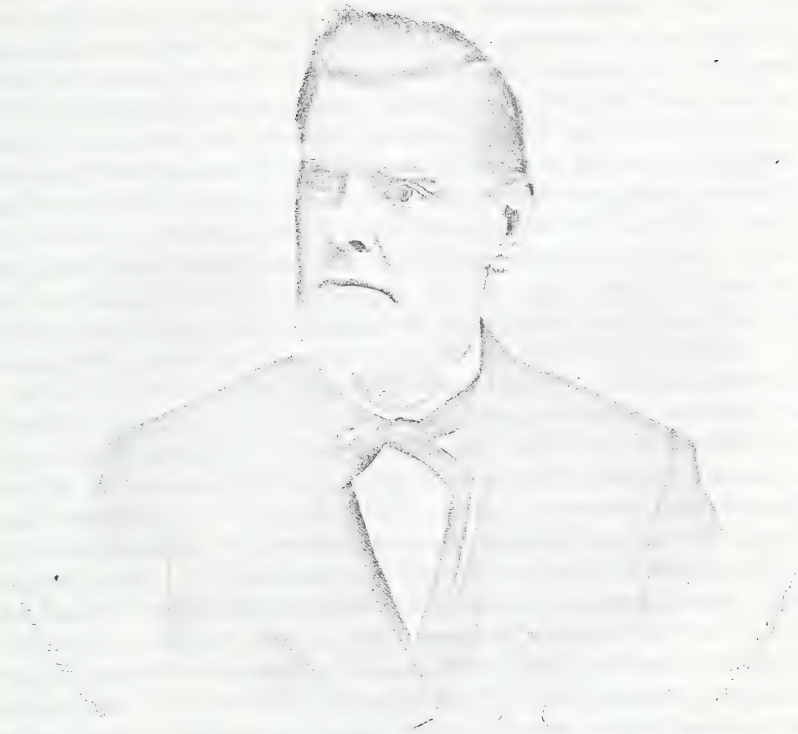
"Of his merits, his lofty intellect, his accomplishments, his professional fame, and above all his Christian character, I need not speak to you who knew him so intimately and well. But as a patriot and soldier death has left a deep gap in the army, which his military aptitude and skill render it hard to fill. In the battle of Fredericksburg he won an immortal fame for himself and his brigade. Hour after hour he held his position in front of our batteries, while division after division of the enemy was hurled against him. He announced the determination of himself and his men never to leave their post until the enemy was beaten, and with unshaken courage and fortitude he kept his promise.

"May God give consolation to his afflicted family, and may the name and fame of the Christian statesman and soldier be cherished as a bright example and holy remembrance.

"With great esteem, your obt. svt.,

"R. E. LEE."

Such a letter as this from the moderate and pure-souled Lee, using words so strong, is a crown of honor worthy of all esteem. Considering the source and the terms it is as high a panegyric as any man ever won. Less for its beauty, great as that is, than its inspiration and truth, should it be valued. The two men, Bartow and Cobb, were a glorious brace of martyrs that Georgia gave to the cause of Southern



B. H. Hill

liberty, and it was an ominous incident that these two men, who thus grandly yet uselessly perished, were the two most representative champions and zealous enthusiasts in the Disunion movement. Purer men never gave up life in any cause.

It was at this time that Hon. Benjamin H. Hill became prominent as the congressional prop of the Confederate administration. And from this time on no man in the Confederate Congress was more potential with that administration. Georgia, in Mr. Hill, resumed her influence in the direction of the revolution. Closely linked to Mr. Davis in sympathy, a constant and devoted personal friend and official adviser, entrusted with frequent and important missions of delicacy, a brilliant and earnest defender and exponent of the Confederate policy, through the remaining two lurid years of the struggle, Mr. Hill and Mr. Davis stood in a warm coöperation with each other. Georgia could not evade her inevitable destiny of leadership in this war. Mr. Hill came to Georgia and made to the Legislature a magnificent speech in favor of conscription, and in it he handled Gov. Brown with the gloves off.

It has been curious how interwoven have been the political careers of Governor Brown and Mr. Hill, sometimes antagonistically, and then in a remarkable harmony. When Gov. Brown first ran for Governor it was Mr. Hill whose glittering oratory, his homely but magnetic common sense vanquished. It was Mr. Hill's burning utterances that vitalized the next campaign of Governor Brown, though he was not the figure-head as before. In Reconstruction days Brown and Hill locked shields in a famous encounter of brains. And to-day, in warm accord, they focalize the celebrity due to two masterful senators of the United States, splendid complements to each other's rare and most different endowments. In that day of conscription, Hill, representing the Davis policy, came at Brown with hard blows. Brown struck back as he always strikes, with vigor. And he rather obtained the advantage of Mr. Hill, who made the mistake of giving his argument a personal direction. The flaw in Mr. Hill's logic was that he voted against the conscription in Congress, which he was so ably advocating, and Gov. Brown used it unsparingly. No man ever had a keener perception of the weak places in the armor of his foemen than Gov. Brown, nor drove the hammer upon the flaws more mercilessly.

The adjournment of the legislature without any action upon conscription left Gov. Brown uninstructed. He had refused to let his militia officers be enrolled as conscripts, the Supreme Court having held that they were not subject, and the clamor was very boisterous

The opposition press rang with abuse of his favoritism to his pets. He took the storm of abuse with his wonted coolness, and soon gave his abusers a dose of practical punishment that created a lively clatter. Gen. Beauregard was commanding the Southern coast. Savannah was threatened in February, and Gov. Brown was called on for help. It was a rare inspiration, blending a grim patriotism with a certain rich-flavored humor, that led the Governor to order his whole legion of militia officers, from the Generals down to the humblest company rank, into service at Savannah. The order was perfect in its lively details. It transformed Major Generals into Captains of companies, turned Brigadiers into Lieutenants and Captains and Lieutenants into privates. If any officers refused to go, their exemption from conscription was incontinently withdrawn. This novel order commanded *immediate service*, and it concluded with these inimitable words:

"The high character, intelligence and military training of the persons of whom this force will be composed, justifies the expectation entertained by the Commander-in-Chief, that they will not only render the State the most effective service in this hour of trial, but that they will display an intrepidity of valor upon the battle field, which will make them invincible, and will satisfy all that injustice has been done the militia officers of Georgia by those who have doubted their willingness to sacrifice their lives, if need be, in the defense of their State."

This order created a wonderful sensation in the State. Even the opposition press gave in to its felicity and relished and approved it. A grin, so to speak, spread over the State, that added a tinge of relief to the impending horrors of invasion and the darkness of a really grave situation. The papers commented upon it spicily, and Governor Brown with a stern complacency surveyed the conclusive effect of his happy order. Men that had reviled him for shielding favorites from conscription, frankly owned that they were mistaken, and that he had shown that he was actuated by an honest desire to maintain the constitutional rights of the State. The *Macon Telegraph*, a persistent opposer of Gov. Brown, declared that it was a good conception of his, that it would give new vigor to the volunteer movement, and that the example of officers shouldering their guns and taking place in the ranks as privates, would stimulate the spirit of self-sacrifice in all classes. And Mr. Clisby, the editor of that paper, with a fine humor that belonged to him, gave a vivid account of the effect of the order upon the astounded militia officers. The Confederate authorities had conceded to Gov. Brown the exemption of these militia officers from conscription, and they were taken aback at this reduction in rank and

summary injection into service. They obeyed promptly, however, and reported in Savannah, but the emergency passed and they were sent back home subject to recall if required.

At this time also began trouble in the north-eastern counties of the State, Rabun, Union, Gilmer and adjoining counties, that continued more or less to the end of the war. At the beginning there was some Union feeling in that section that threatened formidable resistance to secession, and which as we have shown, was quieted by Governor Brown's admirable tact. That section in the latter part of 1862 and the first part of 1863 became the refuge of a band of deserters and Union sympathizers, who organized a rebellion on their own account against Confederate authority and the peace of the State. They plundered about generally. Gov. Brown issued his proclamation outlawing these men, and sent Maj. Galt and Maj. Wynn, commanding detachments of reserve infantry and cavalry, to break up the mischief. These officers seized some 50 of the ring leaders, headed by a deserter named Jeff Anderson, returned some 200 men directly to their commands, and hustled out fully 2,000 absentees.

The year 1862 ended with one dollar of gold being equal to three and four of Confederate money. Our Confederate currency was rapidly depreciating, and patriotic men in vain resisted it. For instance, a public meeting was held in Macon, presided over by that noble gentleman and distinguished ex-Judge, Thaddeus G. Holt, to devise means to strengthen the money of the new nation. Provisions and clothing had nearly quadrupled in value. One of the greatest obstacles that the South had to contend against in the war was the speculation that was constantly made in the staples of life. The General Assembly of Georgia constantly fought against it. In nothing did Gov. Brown more signalize himself than in his unsparing warfare against the speculators and extortioners. He stopped at nothing to thwart their infamous schemes and disappoint their subtle calculations. He seized their hoards without mercy, and struck down their nefarious projects.

CHAPTER XXVII.

THE INCREASING WAR FEVER OF 1863.

The Average of 1863 against the South.—Gov. Brown Wished to Retire.—His Description for Governor Irresistible.—The Augusta Constitutionalist Leads Off.—An Urgent Letter from some Augusta Gentleman calls Gov. Brown Out.—Brown's Letter.—Joshua Hill and Timothy Farlow against Brown.—A Triangular Fight.—Foreign Comment.—"Model War Governor."—Brown Elected the Fourth Time.—Confederate Congressmen.—The Legislature of 1863-4.—Its Personelle.—Gov. Brown's Clarion Inaugural.—His Message.—Military Changes.—John B. Gordon Rising into Fame.—Gen. Toombs.—Longstreet's View of Toombs.—Gov. Brown and Hon. James Seddon.—Gov. Brown's Second Memorable Controversy.—Gov. Brown and Mr. A. Fullarton, the British Consul.—A Spicy Correspondence.—Gov. Brown's Interest in the Soldiers.—His Part in the Missionary Mass Meeting and Baptist Convention.—Forest's Capture of Speight.—The Repulse by Fort McAllister.

THE year 1863 was one of increasing war-strain in Georgia. It was marked by an heroic monotony of sacrifices and service. At short intervals came demands for troops, to which our unconquerable men responded with a gladsome readiness and in every case far beyond the call. The Federal Government bent to the conflict with the energy of a giant. Congress voted Lincoln five hundred millions of money, and three millions of soldiers to whip the fight. On the first of January Lincoln issued his famous Emancipation Proclamation. The South met the colossal storm unquailingly. The year went on in blended victory and disaster, but the average was against us. We lost Tennessee, that luxuriant land of milk and honey, the bounteous paradise of the soldiers' campaigning. Vicksburg fell, and the Confederacy at one stroke was riven into two fragments, split and cleft hopelessly asunder. The battle of Gettysburg was fought and lost, grandest fight and most disastrous defeat of the war, and deadly ending of the only formidable invasion of northern territory made by the South. Stonewall Jackson, that wonderful warrior, was fatally wounded by our own men and lost to the Confederacy. We won the battle of Chickamauga, fateful RIVER OF DEATH, but failing to follow it up, a terribly punished foe rallied and gathered his forces, and the cruel blistering, inexcusable defeat of Missionary Ridge by Gen. Grant, closed the year with our Western

army shattered and demoralized at Dalton, and the besom of devastation hovering at Chattanooga upon our own beloved State.

Our regular biennial election came on this year of 1863. The pressure upon Governor Brown had been superhuman. He had been very ill once or twice during his term. It was his wish to retire from the gubernatorial chair. But again the people, with a spontaneous and deep-voiced earnestness, called upon him to serve for a fourth term. It was a grand tribute to the man and the officer, to the individual, the patriot and the Governor. Despite his innumerable conflicts, that bred antagonisms against him hot and fierce, and many of them implacable, the masses of the people clamored for him to continue in his great trust. Letters from all parts of the state poured upon him, beseeching him to remain. Journals that had opposed him insisted upon his re-election. Distinguished officers of the army wrote to him to consent to serve. The movement for his re-election appears to have been started by that powerful paper, the *Augusta Constitutionalist*, which had been almost uniformly opposed to him. This journal, early in the year, came out in a strong editorial and candidly admitted that in a

"Great crisis, a time of much peril and excitement, with new revolutionary phases continually presenting themselves, he has administered affairs with singular wisdom, justice and success, has maintained the character, credit, rights and honor of Georgia and her people, and aided largely to bring the great struggle in which we are engaged to a successful and triumphant issue."

On the 16th day of May, 1863, Messrs. George Schley, B. H. Warren, James Gardner and Robt. H. May of Augusta, addressed a letter to Gov. Brown asking him to allow his name to be used. They stated that they had differed with him on many points of public policy, but appreciating his honesty of purpose, his adherence to the welfare and character of Georgia, and his devotion to the interest and comfort of our soldiers, as lovers of our country, they believed they could best promote her cause by merging all past differences in Gov. Brown's re-election. Gov. Brown replied on the 21st of May that he would serve if elected. He said that he had desired the position in time of peace. He had been gratified. He could not now decline its responsibilities in time of trouble. He alluded to the main ground of objection that had been urged against him, that he had opposed the Confederate administration on its conscription policy. He had done it conscientiously, under an honest difference of opinion. He frowned upon any attempt to build up an opposition party to the Confederate administration. He also opposed any reconstruction of the old Union.

There is some interesting secret history connected with Gov. Brown's fourth candidacy for Governor, that has never been in print. The facts were furnished by Col. P. Thweatt. Gov. Brown had decided not to run, and called a meeting of a large number of his friends at the executive mansion to whom he announced his purpose. Gov. Brown wished Gen. Toombs to be Governor, and induced Col. Thweatt and other friends to canvass his chances, and after a careful scrutiny it was believed that Mr. Toombs' trouble with Mr. Davis would prevent his election. Gov. Brown was very warmly attached to Gen. Toombs, and earnestly desired his election, and reluctantly gave up the idea of his candidacy. At the meeting of friends, among whom were Col. Thweatt, Mr. Seward of Thomas, Mr. Gordon of Chatham, I. R. Foster of Cherokee and Gen. Wayne, Gov. Brown announced his resolution not to run, and asked them to look about for some one else. It was moved to appoint a committee, and an additional motion was made that Col. Thweatt be added to it. Col. Thweatt declined to take any part in the matter, expressing the opinion, that none of the gentlemen proposed could be elected, and urging Gov. Brown, if he wished to take care of and sustain his friends, to withdraw his determination and let his friends run him again. This stopped further action. And Gov. Brown, under the strong pressure, yielded his inclinations and ran the fourth time. Col. Thweatt says, that until Gen. Toombs assailed Gov. Brown in 1868 he never had a warmer or more devoted friend than Gov. Brown.

This acceptance placed Gov. Brown before the people again. The opposition sought to get out a number of gentlemen. Gen. Gartrell, Gen. Colquitt, Judge Cabiniss and Judge Jenkins were all pressed to run, but declined. Finally the *Atlanta Gazette* put out the name of Hon. Joshua Hill, and stated authoritatively that he would serve if elected, but that he would not send forth nor deliver any address. The *Rome Southerner* hoisted Mr. Hill's name. The *Atlanta Gazette* ominously expired before the election. A pretty heavy fusillade was made against Mr. Hill, that he was in favor of a reconstruction of the Union. Messrs. George W. Adair, Jno. J. Thrasher and James W. Calhoun of Atlanta, addressed him a letter about this charge, to which he replied denying it, but making no announcement of policy.

The Milledgeville *Recorder* put out the name of the Hon. Timothy Furlow, and that gentleman accepted in a letter declaring vigorously for the support of Mr. Davis and his administration. Thus stood the triangular contest. It was inspired by a shrewd policy. Mr. Hill was the representative of the conservative element and the rallying point for

a decided and growing Union fragment in North Georgia. Mr. Furlow was a secessionist and an ardent war man, and was expected to divide Brown's support. It was hoped by the opposition that in the split of elements the election would be thrown into the legislature, as it was not believed Gov. Brown could get a majority over both of his competitors. Mr. Furlow was a wealthy, liberal gentleman, devoted to the Southern cause and very popular. The campaign was only tolerably lively. People were too much absorbed in war to take much interest in politics. The enemy was at the door. The field of conflict was on the point of transfer to Georgia soil. Civil matters were at a discount in the turbulence of strife. The jingle of the sabre and the tread of armed men silenced the ordinary tumult of political agitation. A sort of mild campaigning was done, but it made little noise. The dread work of revolution was running its bloody course, and men felt little inclination to vex themselves over civil place. Gov. Brown left his canvass to take care of itself, and busied himself with preparation for the storm gathering against Georgia.

How he was impressing impartial minds can be understood from the following opinion of the *Mobile Register*:

"Whatever the Georgians may think of their Governor he is immensely popular away from home. In his own State he appears to have bitter enemies, and this is evidence to our mind that he is a man of grit and not of straw. We look upon Mr. Brown as a model War-Governor—a veritable Stonewall Jackson among State Executives. . . . For our part we render our sincere thanks to Governor Brown, and we believe his course meets the general and fullest approbation of the country."

The New York *Herald* watched the contest closely and predicted Mr. Hill's election. But the ballots told a different tale. There were 64,804 votes polled, only half a vote, showing the abstraction of the public mind from politics by the war. Governor Brown received 36,558, Joshua Hill 18,222, and Timothy Furlow 10,024. Gov. Brown had 18,336 majority over Hill and 26,534 over Furlow, and he beat both 8,312. The army vote from seventy-three regiments was 15,223, of which Brown received 10,012, Hill 3,324, and Furlow 1,887; Brown's army majority over Hill was 6,688, and over Furlow 8,125, and over both 5,801. These figures show how Gov. Brown stood with the fighting men of the State, and how fully and emphatically the soldiers endorsed him. The vote also shows the terrible decimation our Georgia regiments had undergone in the service, testifying eloquently to their manhood.

The following gentlemen were elected to the Confederate Congress:

First district, Julian Hartridge; second district, W. E. Smith; third

district, M. H. Blanford; fourth district, Clifford Anderson; fifth district, J. T. Shewmake; sixth district, H. Echols; seventh district, James M. Smith; eighth district, George N. Lester; ninth district, H. P. Bell; tenth district, Warren Akin.

Of these, Wm. E. Smith, H. P. Bell and Julian Hartridge have been United States Congressmen since the war, James M. Smith, Governor of Georgia, and Clifford Anderson is at present Attorney General.

In the Legislature there were some very able men. Among the Senators were Thos. E. Lloyd, the great civil lawyer of Savannah; T. L. Guerry; Phil Cook, since a Congressman; J. H. Pate, now a Judge of the Superior Court; Gen. A. R. Wright, the brilliant Ranse, a Congressman subsequently; E. H. Pottle, now a Judge; Alex. M. Speer, now a Justice of the Supreme Court; and C. D. McCutchen, recently a Judge of the Superior Court. Among the leading Representatives were Gen. W. S. Holt and Thomas Hardeman of Macon, the latter an ex-Congressman; J. B. Jones, ex-member of Congress; L. N. Trammell, President of the Senate since for two terms; Philip M. Russell of Savannah; W. F. Wright; R. Hester; Morgan Rawls, a Congressman after the war; M. Dwinell, a prominent journalist; Gen. R. W. Carswell, now a Judge; Jas. M. Russell; J. R. Stewart, now a Judge; Thos. G. Lawson, now a Judge; and B. H. Bigham.

The Hon. Thomas Hardeman was elected Speaker of the House, and Hon. A. R. Wright President of the Senate. The fourth inaugural address of Governor Brown was a remarkably ringing document, that seemed to have caught the clang of steel from the spirit of the great conflict. It had a single idea in it, put with singular eloquence. It simply sounded in a clarion voice the manly duty of the hour. Scanning the vast struggle, it sped to the State one throbbing idea that we were in to the death, and must unite and achieve freedom.

The annual message of Governor Brown to this legislature, of November 1863, was one of the best papers of his executive career. It put the situation clearly and concisely before the people. It urged some very decisive measures, the repeal of the substitute law, authority to civil officers to arrest absentees from the army and the increase of the pay of soldiers. He argued that our soldiers should be clothed and their families fed by the State whenever it was necessary to any amount. The improper impressment of private property, the right of the State troops to elect their own officers he warmly advocated.

The Legislature adjourned December 14, 1863. It appropriated \$500,000 to the "Georgia Relief and Hospital Association;" \$2,500,000

for soldiers' clothing; \$6,000,000 for indigent families of soldiers; \$500,000 for salt; \$3,000,000 for a military fund; \$750,000 for a blockade steamer. The enrollment of all militia between 16 and 60 years was authorized, and the Governor empowered to call them out if necessary. Resolutions were passed re-affirming the resolutions of the General Assembly of 1861, pledging the state to the fight until peace was established upon the basis of Southern independence. A resolution was also passed accepting battle flags of the 4th, 14th, 20th and 26th Georgia regiments and the 12th Georgia battalion, and several Federal flags captured by the 4th Georgia and Dole's brigade.

During the year 1863 many interesting military matters transpired in Georgia and in connection with Georgia troops. The two regiments of Georgia state troops were organized by the election of E. M. Galt Colonel of the 1st regiment, and R. L. Storey Colonel of the 2d. The following infantry regiments also had been organized for Confederate service:

60th Georgia,	Colonel Wm. H. Stiles.
61st " "	John H. Lamar.
62d " "	J. R. Griffin.
63d " "	George A. Gordon.
64th " "	Jno. W. Evans.
65th " "	Jno. S. Fain.

Some light infantry battalions had also been formed. Also the following cavalry regiments:

5th Georgia Cavalry,	Colonel R. H. Anderson.
6th " "	John R. Hart.
7th " "	E. C. Anderson, Jr.
8th " "	J. L. McAllister.
9th " "	J. Taliaferro.

Also a second 4th Georgia cavalry under Col. Duncan L. Clinch.

Mr. Davis had made requisition for 8,000 home guards. Governor Brown called for these troops, and 18,000 offered, demonstrating the ready gallantry of our Georgians and the correctness of Gov. Brown's position that the conscript law was unnecessary in Georgia to raise soldiers. Mr. Davis would not permit the selection by these commands of their brigade and division officers. Gen. Howell Cobb was made Major General and assigned to the charge in Georgia. He assumed command September 14, 1863. Gen. Alfred Iverson, Jr., and Gen. Henry Jackson were reported Brigadiers under him, the former at Rome and the latter at Savannah. Gen. Gustavus W. Smith, who had resigned

from the Confederate army, was employed by Gov. Brown in aid of the fortification of the state. Col. R. A. Smith of the 44th Georgia, Lt. Col. J. C. Mounger of the 9th Georgia, and Lt. Col. W. T. Harris of the 2d Georgia, were killed. A very sad loss to the state was Col. Peyton H. Colquitt of the 46th Georgia at Chickamauga, one of the most brilliant young men in the commonwealth. Col. Wm. Gibson of the 48th was badly wounded. It was in April, 1863, that a Georgia gentleman was made Brigadier General, who became the most famous and brilliant soldier the state had in the war, Gen. John B. Gordon.

It was early in this year that Gen. Toombs resigned. Of this versatile genius Gen. Longstreet, who arrested him once, said that if he had been educated at a military school in subordination, he would have been as illustrious and successful as a soldier as he was as a statesman, so great were his natural military abilities. And a curious incident is told which is vouched for by Col. Raphael J. Moses, who was serving under him, that at one period Gen. Toombs was desired at the same time by Gen. Lee and President Davis, one desiring to consult him on a war point, and the other on a matter of civil administration, both important affairs, and he had to hurry from Richmond to the front the same day to fill both momentous advisory rôles. Yet his ungovernable spirit of intractable insubordination to any authority kept him in hot altercation with his superiors, and resulted in such bitter feeling that he resigned his coveted stars. His farewell to his brigade was a model of eloquent pathos and incisive soldierly ardor. He came home, refused to run for Congress, and started to raise a regiment for the home service.

During this year, 1863, Gov. Brown had several of his memorable controversies that gave him so much celebrity in the Confederacy.

In May, 1863, a correspondence occurred between Gov. Brown and Hon. James A. Seddon, Secretary of War, in regard to the right of the Fifty-first regiment of Georgia Volunteers to fill by election, the colonelcy made vacant by the killing of Colonel Slaughter at Chancellorsville. This regiment was one of twelve organized regiments turned over to the President in February, 1862, under requisition of Mr. Davis, and declared by Mr. Benjamin, Secretary of War in 1862, to be entitled to elect their own officers and have them commissioned by the Governor of Georgia. Gov. Brown claimed, apart from this pledge, that this regiment came under the clause of the Constitution reserving to the States the appointment of the officers. Mr. Seddon claimed that under the conscription law the President was authorized to appoint the officers. Gov. Brown argued that the conscription law was in conflict

with the Constitution, and the Constitution must govern. Gov. Brown plead that the principle had been decided on this very question, raised in Col. Benning's regiment of Gen. Toombs' brigade, in favor of the right of the State to commission. Mr. Seddon refused to yield. Gov. Brown concluded his final letter with this thrust:

"The President has the power in his own hands, and I am obliged for the present reluctantly to acquiesce in what I consider a great wrong to thousands of gallant Georgia troops and a palpable infringement of the rights and sovereignty of the State. I will only add that this letter is intended more as a protest against your decision than as an effort to protract a discussion which it seems can be productive of no practical results."

There was probably no matter of higher value to our spirited volunteers than this very privilege of selecting their officers, and the Confederate authorities made a great mistake in their policy on this point. While it was true, as a general principle, that the ordinary war rules were founded in a long experience as to regular and professional soldiers, our voluntary citizens' army was an organization of patriotic gentlemen, inspired by love of country and a blended sentiment of duty and honor. Mr. Davis and Gen. Bragg, both of them, failed to comprehend the difference. Some of our most skillful fighters and best strategists were civilians who had not enjoyed military education. The great bulk of our officers were men untrained in war. Gen. Sidney Johnson and Gen. Lee both appreciated the régime best for the volunteer. The Legislature endorsed Gov. Brown's views on this subject of election of officers, and passed a resolution urging them on the Confederate Congress.

A very spicy correspondence is that between Gov. Brown and Mr. A. Fullarton, British consul at Savannah. This was in July, 1863, when Gov. Brown ordered a draft of eight thousand men for home defense from persons between eighteen and forty-five years, including British subjects. Mr. Fullarton protested against such service, stating that for maintaining internal peace and order, British subjects were liable to duty, but not for fighting the United States troops. He claimed that the United States was not a foreign power in relation to Georgia. Gov. Brown replied, refusing to exempt British subjects from such duty or modify his order. The United States was a foreign nation at war with Georgia. If the British subjects did not wish to incur the burdens of living in Georgia they could leave. Mr. Fullarton replied that while advising British subjects to do police or patrol duty, he counseled them if they were required to leave their homes or meet the United States forces in actual conflict, to throw down their arms and refuse to render

the service, which violated their neutrality. He claimed that Gov. Brown's course was in contrast with the practice of the United States Government and other Southern Governors. Gov. Brown replied that while Her Majesty's subjects lived in Georgia they must perform the duties imposed upon them by the law of nations. The Governor put in a home stroke by saying that if Fullarton really thought the United States was not a foreign power hostile to Georgia, he should have appealed for protection to British subjects resident in this State, to the government in Washington, and not to the Governor of Georgia. He added that if Her Majesty's subjects should act on Mr. Fullarton's advice and throw down their arms on the approach of danger, and thus be guilty of the unnatural and unmanly conduct of refusing to defend their domiciles, they would be promptly dealt with as citizens of this State would be committing such dishonorable delinquency. As to the United States exempting British subjects, as it had by the use of money drawn large numbers of recruits from the dominions of Her Majesty, in violation of the laws of the realm, it may well afford to affect a pretended liberality which costs it neither sacrifice nor inconvenience. Mr. Fullarton gave up the contest, and there is no report of any hardship being suffered.

In all subjects pertaining to the welfare of the soldiers, Gov. Brown not only took a deep interest, but did an active part. A Missionary mass meeting was held in Griffin, April 26, 1863, Rev. Dr. Mell presiding, the object of which was christian ministrations among our soldiers in the field. Gov. Brown attended and made an earnest speech for this noble cause, and gave a handsome donation to army colportage for the dissemination of religious reading among the troops. In the Baptist Biennial Convention at Augusta, May 11, 1863, resolutions of Dr. Broadus were reported, rendering hearty support to the Confederate government and paying tribute to Stonewall Jackson. Rev. Dr. Boyce, of South Carolina, opposed these resolutions as covering political ground. Gov. Brown made a speech of great power and fervor in support of them, and they were unanimously passed. In September, 1863, a dinner was given by the Atlanta ladies to the paroled Vicksburg prisoners. Gov. Brown was the orator of the occasion, and made a most effective and patriotic speech.

There are some remarkable statistics for this year. Confederate money fell in value until from 4 to 1 in 1862, it became 21 to 1 in gold in 1863. The property of the state swelled in figures, from \$578,352,262, in 1862, to \$991,596,583, in 1863. Polls decreased in number from

91,562 to 60,168. The State road paid in to the treasury, \$1,650,000. The public debt had grown to \$14,149,410. The Bank capital of the State had enhanced to \$70,713,048. An income tax had been imposed which showed \$15,737,479 of profits on business in the state, yielding a tax of \$683,235. But the most striking and honorable statistical fact—placing Georgia in a position of unequalled distinction for the patriotism and valor of its people, and its guiding agency in the war, was her greater loss of soldiers than any other Southern State. The Second Auditor at Richmond, published the following statement of soldiers' deaths to December 31, 1863: Georgia, 9,504; Alabama, 8,987; North Carolina, 8,261; Texas, 6,377; Virginia, 5,943; Mississippi, 5,367; South Carolina, 4,511; Louisiana, 3,039; Tennessee, 2,849; Arkansas, 1,948; Florida, 1,119.

It was during this year that two small but most conspicuously brilliant military exploits took place on Georgia soil, the fame of which a just and appreciative history will not permit to die. The raid of Streight the Federal cavalryman into Georgia, with a splendid band of 1,800 daring and thoroughly equipped troopers was thwarted, and the whole command captured at Rome by the unparalleled Forrest with but 600 men. Following them night and day, assaulting them at every stand, he finally compelled a surrender at the very threshold of the picturesque little mountain city, and saved the state some dreadful devastation.

The other equally historic and glorious incident was the repulse of a fleet of seven Federal monitors and gunships by the intrepid little garrison of Fort McAllister, at the mouth of the Ogeechee river on the Georgia coast, in March, 1863, under command of Capt. Geo. W. Anderson. Major John B. Gallie, the commandant, was killed at the beginning of the engagement. This was the seventh attempt that had been made to take this Fort, a simple earthwork with sand parapets, all of which had failed. This was the last and crowning effort. The garrison resisted an eight hours' desperate bombardment with guns, throwing as large as 15-inch shot and shell, and finally drove off the attacking expedition crippled and whipped. The papers rang with the splendid achievement, and the General commanding complimented it in a general order, directing the garrison to inscribe on their flags, "Fort McAllister, March 3rd, 1863."

The history of war may be searched in vain to find two more heroic and dauntless achievements than these matchless instances of skill and valor. They were unsurpassable exhibitions of chivalric courage and sublime patriotism.

CHAPTER XXVIII.

THE FIRST HALF OF THE MOST THRILLING YEAR OF GEORGIA ANNALS, 1864.

Georgia becomes the Crucial Battle Ground of the War.—Virginia and Georgia.—Georgia the Hope of the Confederacy.—Gov. Brown Convenes the Legislature.—His Great Message.—A Document that Vivified the Confederacy.—Extraordinary Press Comment.—The Focal Southern Governor.—It Evokes, also, Savage Censure.—Linton Stephens' Resolutions and Memorable Speech on Gov. Brown's Line.—Gov. Brown Endorsed.—The Repeal of the Habeas Corpus Suspension Recommended.—Alec Stephens' Strong Speech.—Protest against the Resolutions.—Linton Stephens' Famous Adjustment Resolutions.—Gov. Brown's Fixedness.—Special Message that the Legislature must act or he would Re-convene it Immediately.—The Grapple of Joe Johnston and Sherman.—Resaca.—Tanners Ferry.—The Anguish of Leaving Homes to the Enemy.—Cassville.—New Hope Church.—The Dead Lock.—Kennesaw and its Twenty-three Savage Days of Fight.—Over the Chattahoochee.—Joe Johnston Removed, and the End Begun.—The Protest against Removal.—Davis' Misgivings.—The Anomaly of Johnston's Career.—Georgia Adhering to her Fate of Supreme Agency in the War.

THE year 1864 was a vivid and memorable one in Georgia annals, the most dramatic, thrilling and eventful in her century and a half of august history. From the first to the last week of this fateful twelve months there was a continued succession of throbbing and vital incidents that involved the fate of the Confederacy and the destiny of the continent. The State became the crucial point of the war, the decisive battle ground of the conflict, in strange pursuance of that mysterious fortune that seemed to make her the foremost instrumentality of the revolution. Both in civil and soldierly matters she was the scene, during this salient year, of controlling occurrences that shaped and settled the struggle. With the result of events in Georgia in 1864 the war was practically ended. The conclusion was clearly in sight from the smitten and smouldering wreck of our noble State—ravaged, battle-charred and desolated out of recognition. The bloody swath through this State of four hundred miles, from the Tennessee line to the ocean border, quartering the Confederacy, and destroying the Confederate base of supplies, left the Southern cause crushed, quivering and doomed. The Georgia campaign made the Virginia campaign simply a question of time, after which the end was at hand, close, final, deadly.

The difference between Virginia and Georgia, in their relative situations and importance in the anatomy of the revolution, was very striking. Virginia was a gate-way on the border. Georgia was the very vitals of the Confederacy. When Vicksburg fell it was a gloomy halving of the young republic of the South. Georgia became the heart of the cause. This State was the main source of grain supplies. It was also the chief manufactory of military stores, Atlanta being the grand center of production and distribution. Back in the supposed interior point of safety, the thousands of Federal prisoners in our hands, held under a Federal policy of non-exchange, were huddled at the famous Andersonville stockades in South-Western Georgia. But the living, dominant spark of Confederate existence and power lay in the grand army, one of the two that propped up the super-incumbent and massive yet tottering cause of Southern nationality. This army reposed on Georgia soil, gathering its wounded energies for the last, conclusive, desperate ordeal.

The war was at length focalized in Virginia and Georgia, and the crucial point was Georgia. The loss of Georgia was not only the destruction of one army, but it was the cutting off the source of subsistence and munitions for the other army, and therefore the more important prize. The operations everywhere save at these points were about ended. The Mississippi Valley was practically gone, Tennessee, Missouri and Kentucky were riveted, beyond hope, back to the Union, and in the other states resistance was barren. The unspeakable importance of the campaign in Georgia can be imagined, and the vital value of the Southern army here in that vivid year can be but faintly estimated.

The hope of the Confederacy rested upon the commonwealth of Georgia, and the year 1864 records the most romantic, sustained and versatile passage of arms on a large scale with the mightiest results known to modern history. As the year 1863 broke in gloom, so the year 1864 began for the South in the same darkness. After the battle of Missionary Ridge our army lay crushed at Dalton. Bragg was forced by public opinion to yield its leadership. Gen. Hardee took temporary command, but in the grand spirit of patriotism, as morally heroic as it was unexampled, he declined the permanent generalship. That incomparable organizer, Gen. Joe Johnston, was placed over the shattered force, and the work of rehabilitation proceeded thoroughly under his superb direction. The Federal head-quarters were at Chattanooga, and a magnificent army was organized there, ready when the "tugging leash" was slipped to precipitate upon the devoted soil of

Georgia the glory and the woe of this last trial of the stupendous revolution.

The whole country pulsed with the thrill of the impending storm. The authorities at Richmond and Washington looked with equal and fierce anxiety to the clash. The South gazed in breathless suspense. The people of Georgia braced their unquailing and intrepid energies for the encounter, and their dauntless Executive, composed and self-reliant, masterfully met the emergency with every resource of a powerful state and every sympathy of its gallant citizens. Gov. Brown called the legislature together to convene Thursday, the 10th of March, 1864. He sent in to that body the best message of his Executive career. It was a genuine inspiration. He incarnated in its glowing sentences the central idea of constitutional government and the very genius of Southern heroism. It fell upon the Confederacy with the vivifying potency of a blended slogan of battle and of law. From every part of the Confederacy came back the answering echo of encomium and approval. Said the *Selma (Ala.) Reporter*, "From the sea of blood whose fell waves threaten to sweep away the guerdons that encircle the Ark of our Covenant of Freedom, there rises, in the person of Joseph E. Brown of Georgia, a nucleus around which a summoned resistance will aggregate which it were madness to oppose."

Said the *Mississippian*: "The country, the PEOPLE are with Gov. Brown in sentiment. We hear it on steamboats, in cars, in hotels, in private and public circles." Said the *Charleston Mercury*: "Our sympathies are in unison with the whole course of Governor Brown's argument." Said the *Petersburg Express*: "The Governor of Georgia is devoted heart and soul to the cause of the South." Said the *Memphis Appeal*: "Such action by the Sovereign States is at this time needed to prevent usurpation, centralization of power, and preserve intact the personal liberty guaranteed to us."

These extracts, taken at random from the mass of contemporaneous expression of opinion out of the State, will give an idea of Governor Brown's prominence in the South, and how he loomed above the whole file of Southern Governors in that animated day. His influence went out beyond state bounds. He was the acknowledged leader and exponent of the large element of citizens in his way of thinking. In the State the majority of the press was against him, as curiously enough it has been during the greater portion of Gov. Brown's long and successful public career. But he received from a powerful minority of the State press some striking commendation upon his message.

The *Columbus Sun*, *Augusta Chronicle*, *Atlanta Intelligencer*, *Atlanta Confederacy*, and *Milledgeville Union* all endorsed the Governor in strong terms.

The message covers forty-five pages of the journals of the General Assembly, and a perusal of its burning sentences and unanswerable arguments will explain the profound sensation it created over the South. The message recommended some additional war measures, and then entered into a fervid, powerful discussion of two great subjects. One was the passage by the Confederate Congress of an enlarged conscription act, enrolling citizens from 17 to 50 years of age, and of an act suspending the writ of *habeas corpus*. The other subject was the principle involved in the war, and the conduct of the struggle by the North. These two vital and gigantic public themes were treated with a vigor and exhaustiveness, with an ability and energy, that could not be surpassed, and the overmastering document fell upon the public mind with tremendous effect. Some parts of this stern, dominant paper are magnificent expressions of sentiment and thought clothed in lofty language. There pervades the whole document a sublimated spirit, born of the extraordinary times, and as exalted as the majestic subjects discussed. There was a high and sustained power in it that showed a wonderful ability wrought up to a sublime exercise of its strength. The seemingly extravagant encomiums of the press out of the state given before will demonstrate how able minds regarded this remarkable state paper. It was at once a logical protest against centralized despotism in friend and foe, and a masterful plea for the sanctity of our cause.

Looking at the message, with its ability proportioned to the subject, and this is saying much, it was a rare exhibition of discernment and courage, a profound and philosophical discussion of the principles of constitutional liberty and a bold, timely admonition of statesmanship. An Alabama paper voiced the public estimate in these strong words:

"It is a majestic pyramid of impregnable facts, built with the skill of a scholar and a logician—a pyramid whose base is as broad as the sovereignty of the states, with an apex as lofty as the ambition of all lovers of constitutional freedom. It is an epitome of the war in its vital aspects, and luminous with a grasp of practical statesmanship adequate to the salvation of the Confederacy, provided its admonitions and teachings find a lodgment in the popular mind at the South."

Perhaps the most valuable personal tribute to this message was the one paid by Gen. Toombs, who wrote to Gov. Brown a characteristic and lengthy letter, presenting some additional arguments in its sup-

port. In this letter he tendered Gov. Brown his "sincere thanks for the ability, firmness and success with which you have supported the cause of personal liberty." And he went on with these strong words:

"Among your many and well-merited claims upon the confidence and gratitude of the people of Georgia and of the whole Confederacy for your great, valuable and unwearied services in the cause of Southern liberty, none rank higher or endure longer than this noble defense of the most valuable of all human rights."

The message also elicited some very harsh and opposing criticism, and there was a warm diversity of opinion upon the policy of questioning the acts of the Confederate authorities in the desperate pressure of the conflict. Some very hard names were applied to Gov. Brown, "disorganizer," "madman," "marplot," etc. Hon. Linton Stephens introduced resolutions enforcing Gov. Brown's views. The debate was able and earnest. Outside gentlemen made speeches at night. Howell Cobb, A. H. Kenan and Hon. L. Q. C. Lamar of Mississippi made strong, eloquent addresses in support of the Acts of the Confederate administration. Alexander H. Stephens delivered a lengthy and elaborate speech upon the line of Gov. Brown's message. Linton Stephens made perhaps the strongest speech on the subject—an enunciation of great power and intensity, in which he uttered with nervous fire the memorable and ringing expression, "I AM FOR THE CAUSE AND NOT FOR DYNASTIES!" The *Augusta Chronicle* is responsible for the statement that the lobby of the Legislature was filled with prominent administration officials opposing Gov. Brown's policy. The resolutions passed by a majority of three in the House and eight in the Senate. They declared the act of Congress suspending *habeas corpus* unconstitutional, recommended repeal by the next Congress and obedience to the act until repealed. A protest was entered against these resolutions, signed by 43 members, among them Thos. G. Lawson, M. Dwinell, J. D. Matthews, Thos. Hardeman, Jr., D. P. Hill, W. S. Holt, W. O. Fleming and others. The protest was based upon the ground that the law should be acquiesced in until decided unconstitutional by the courts.

Georgia thus led off in the protest against this infringement upon liberty, and took the initiative as the honored sentinel, in the language of Alex. Stephens, to preserve Constitutional liberty and independence as objects "co-ordinate, co-existent, co-equal, co-eval and forever inseparable."

Nor was this action without practical and solid results. The states of Alabama, North Carolina and Mississippi, the home of Mr. Davis, followed Georgia and Gov. Brown in this vital matter and protested

against the suspension of habeas corpus. But this was not all. The second Confederate Congress after a powerful, exhaustive and heated discussion refused to continue the suspension though Mr. Davis insisted upon it. It was a signal triumph of the Georgia policy inspired by Governor Brown.

A resolution was also passed expressing unabated confidence in Mr. Davis. Another very celebrated action of Georgia through her General Assembly at this time was the passage of some resolutions, also the work of Linton Stephens, declaring the ground on which the Confederate States stood in the war, and the terms on which peace ought to be offered to the enemy. These resolutions have become famous, and stand as a monument of that governing statesmanship that during the revolution Georgia so supremely and without rivalry exercised. The resolutions declared the object of good government and the right of the people to alter government to secure those objects; that the Declaration of Independence was the outcome of this principle; that Georgia was such a nationality as was entitled to exercise the full right of self-government; the causes of separation and a justification of secession; the vindication of secession by the subsequent policy of Mr. Lincoln, especially the proposition to establish governments in the seceded states if one-tenth of them were loyal to the North; that an honorable close of the war was highly desirable, and to put an end to the unnatural, unchristian and savage work of carnage and havoc, the Confederate government, after signal successes of arms, should officially tender peace on the great principles of 1776, allowing the border states to make free choice of future associations; that the effect of such a course would be salutary upon the foe and upon our soldiers and people; but renewing pledges of the prosecution of the war, defensive on our part, until an honorable peace was obtained and the independence and nationality of the Confederate States established upon a permanent and enduring basis.

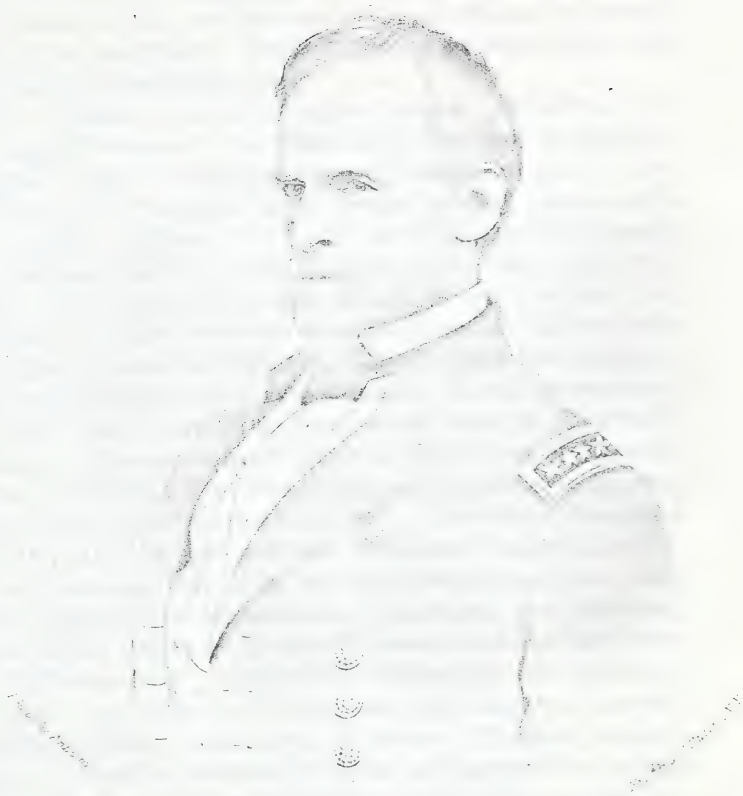
An incident illustrating Gov. Brown's fixedness of purpose was this: The legislature passed a resolution to adjourn on the 19th of March, 1864, at 12 o'clock M., without acting on the Habeas Corpus and other matters. The morning of the 19th Gov. Brown sent in a message notifying the General Assembly that unless the great questions requiring action were finally settled in some way, he should convene the body in extra session on the 21st. The session was prolonged until night and action taken. Among the acts passed by this General Assembly, of an aggressive war character, was a law allowing loyal Southern females in

Georgia to secure total divorces from husbands in the military service of the United States, or voluntarily in the lines of the enemy furnishing them aid and comfort. The battle flags of the 10th and 50th Georgia Regiments were placed in the archives. The Georgia troops whose time had expired had generally re-enlisted and resolutions of compliment were passed.

On the 4th day of May, 1864, began the great Georgia campaign that ultimately ended in the downfall of the Confederacy. Gen. Joe Johnston had in the interval between the 27th day of December, 1863, and May, 1864, brought up the army to the highest point of efficiency from its sadly disorganized condition after the calamitous defeat of Missionary Ridge. His force was 42,856. Gen. William T. Sherman, commanding the Federal army, had 98,797 and 254 cannon; or more than double Johnston's army. It is to be doubted if there was ever in military annals a more consummately conducted campaign. It was a game of chess between masters. It was a grapple of giants. It was a joust of arms of unsurpassed skill between two warriors who exhibited each the highest art of warfare. Both were wary, adroit, sagacious strategists, and both were bold fighters. Johnston's policy was to preserve his precious army at the sacrifice of territory, draw Sherman away from his base of supplies, and give battle, only where he had the chance of success, and where defeat to Sherman would be most disastrous.

The writer was with Johnston during a large portion of the retreat, commanding cavalry, and participating in the actions until wounded at the battle of New Hope Church. He therefore knows practically the management of the campaign by Johnston. It was a faultless demonstration of soldierly genius. The fighting was continuous. Johnston fought under shelter of entrenchments, preserving life to the utmost extent, administering all the punishment possible, and when flanked, leisurely falling back without the loss of a gun or canteen or wheel-spoke, his army intact, deliberate and orderly as on parade. There were no surprises, no discomfitures, no disorders. The men were troubled at giving up their homes to the enemy. But their confidence in Johnston never abated.

Sherman's policy was to precipitate a great battle and crush Johnston at one blow. Failing in this, he shied around the strong fronts and compelled Johnston's retirement. The two captains both showed a marvelous subtlety in penetrating each other's adroit designs. Between Dalton and Ringgold where the two armies confronted each other, lay



W. T. Sherman

Rocky Face Mountain with Johnston impregnably settled against direct attack. Making a vigorous show of assault on the front with Schofield's and Thomas' armies, Sherman sent McPherson's army through Snake Creek Gap on the left, to Resaca, eighteen miles below Dalton on the State road. Johnston had seen the trap and made Resaca too strong for assault, and the catch failed. Johnston quietly gave up Dalton and concentrated his army around Resaca.

The town of Calhoun is six miles below Resaca. At Calhoun was Johnston's base and reserves. The Oostanaula river runs by Calhoun down to within a mile of Calhoun, when it turns and goes in the direction of Rome. At Tanner's Ferry, two and one-half miles, a near point of the bend to Calhoun, Col. I. W. Avery of the 4th Georgia Cavalry was stationed with a brigade of cavalry and a battery of artillery defending two miles of the river. A mile behind him was Gen. John T. Morgan's brigade of cavalry in reserve, and at Calhoun Gen. W. H. T. Walker's division of infantry, both of which commands he was directed to call upon if too heavily pressed. On the afternoon of the 14th of May, 1864, Sherman made a general attack on Johnston's army at Resaca, and simultaneously threw a heavy force at Tanner's Ferry to drive a crossing. Col. Avery's brigade, extending along two miles of river, presented a thin line of defense. Immediate dispatches were sent both to Gen. Morgan and Gen. Walker of the attack, and a most stubborn resistance was made, but the crossing was forced after several hours' fighting, in which one half of the brigade was destroyed. Gen. Morgan arrived a short while after the enemy were over, and after dark Gen. Walker arrived. The Federals entrenched and strangely delayed to move upon Calhoun, to which they were three and one-half miles nearer than Johnston's main army at Resaca. The next morning, Gen. Walker, deceived by the enemy's quiet, and against the opinion of the cavalry officers in front, dispatched Gen. Johnston that the report of the passage of the Oostanaula was unfounded, and caused a change of plan. Gen. Walker then threw Gen. Jackson's brigade of infantry against the quiet enemy and met with a quick and bloody repulse, and immediately notified the army commander. That night Gen. Johnston retired from Resaca, having repulsed the Federals with a loss to them of 5,000 men, while his own was inconsiderable.

On the morning of the 16th, Gen. Hardee rode out to the Picket line where Col. Avery was, and after a close inspection of the enemy's lines, came to the conclusion from the inactivity that no movement was threatening. In five minutes after he left, there was an advance sweep-

ing the cavalry back, and a lively brush occurred between Hardee and McPherson. Johnston fell back to Cassville. Rome was abandoned to the Federals. At Cassville, Johnston determined to give battle. It was a very strong position for us. The men were burning to fight. The writer remembers well the afternoon of the 19th of May, 1864, reading Johnston's ringing battle order—a model of terse, fiery rhetoric to his brigade in the falling twilight, in an old field environed by solemn woods. The men called for a speech, and in common with others, the writer made a few words of deep-felt appeal from a convenient stump. The delight of these grim soldiers at the prospect of fighting for their beloved homes was inspiring. The writer's command was composed mostly of men from the section we were giving up, and in retreating they were leaving their wives and children behind them to the ruthless mercies of the foe. It is such a test as this that tries brave men to the very depths. None can understand the anguish of such a retreat, save those who have undergone it. Death almost were preferable to an ordeal so full of agony of soul and wretched dread for loved ones. This was bringing home to soldiers the last and worst horror of the blighting war. And when it was announced that a stand was to be taken and the battle fought, there was such a thrill of joy pulsing the hearts of these brave patriots as gave stern token of the unconquerable fight they would have made. Men were never more earnest, and they would have never yielded that field. But the battle purpose was unwisely relinquished by Gen. Johnston, and the golden opportunity of the campaign was lost against his decided judgment. Gen. Johnston afterward traveled with the writer in the fall of 1864, from Macon to Charlotte, and said that the battle was renounced by him at the urgent entreaty of Generals Hood and Polk, two of his corps commanders, who said they could not hold their positions; while Gen. Hardee, the other corps commander, who had the weakest place in the line, declared his ability to maintain his ground. Gen. Johnston himself, said he regarded it as the loss of the best chance of the retreat, and that he had always regretted that he did not give battle then. He apprehended, however, that Hood and Polk would not fight with zeal if they did it in fear of defeat, so he yielded to them. The army was discouraged at not fighting this battle, but soon recovered, and it shows their stern sense of duty and sturdy patriotism, that they remained in the ranks, though they were leaving their homes in the hands of the enemy.

Sherman, presuming that Johnston would utilize the Allatoona Pass for a stand, made another flank movement for Dallas. The sleepless

Johnston detected the new step and quietly interposed his army at New Hope Church. Here was a desperate bout, furious and bloody, in which Sherman was frightfully punished. Early he made an effort to turn our right and get in between Johnston and the railroad. This was the afternoon of the 26th of May, 1864. Col. Avery was thrown at the double quick with a part of the 4th Georgia Cavalry to check the movement until troops could get up to thwart it. Gen. Johnston in his Narrative says of this perilous attempt upon his flank, "Although desperately wounded in the onset, Col. Avery, supported in his saddle by a soldier, continued to command, and maintained the contest until the arrival of forces capable of holding the ground." Major Sidney Herbert, the capable and careful correspondent of that powerful paper, the *Savannah News*, writing in 1878 the particulars of a conversation with Gen. Johnston, reported him as making this additional statement about this most dangerous and nearly successful effort of a corps of the enemy to cut him from his base, an effort prevented in a manner showing the value of moments and of the determined resistance of even a small force against a large one at the opportune time: "Finding himself confronted by the advance guard of several divisions of Federal troops, Col. Avery saw that it was hopeless to contend against such odds, yet a stern sense of duty made it plain to him that he must resist their advance until the Confederate forces could have time to place themselves in action. Under these circumstances, and impelled by this strong sense of duty, he fought against overwhelming numbers and with bloody results, until the needed reinforcements came up. His rare personal courage inspired his brave soldiers. Although severely wounded, he remained in his saddle supported by a soldier, and thus accomplished, under great physical suffering, his grand self-imposed task for duty's sake." From this time to the 4th day of June the two armies lay in a dead-lock, fighting daily. Every effort made by Sherman to trip his adversary was abortive. Every assault was bloodily repulsed.

Sherman began to flank again, this time moving to the right of Johnston, and the two vast gladiators faced each other, Sherman near Acworth, and Johnston near Marietta. Johnston manned a line of eminences, of which Pine Mountain in the center, Lost Mountain on his left, and Memorable Kennesaw Mountain on his right composed the obstructive trio. Rested, reinforced, provisioned, Sherman determined to break the cordon if possible by force, and on the 9th of June, 1864, he commenced. The history of war reveals no such battle. Until the 3rd day of July, twenty-three savage days, he battered away with his ponder-

ous human mallet to break down and through the interposing wall of flesh and steel. It was one incessant straining battle, lulling occasionally to a hot skirmish, and then blazing into a deadly struggle. Hood had the right, Hardee the left, and Polk the center. McPherson confronted Hood, Schofield faced Hardee, and Thomas grappled with Polk. On the 14th of June the Bishop-soldier Polk yielded his sacred life. Sherman pushed the mortal game with a grand tenacity. Pine Mountain was first abandoned, and then Lost Mountain was sullenly relinquished, and Johnston contracting his line presented a stronger chain of obstacles than ever, while Sherman had spent men in vain with a prodigal thriftlessness. For the first time Johnston threw Hood against the enemy's right in a crisp tentative reconnoissance, but it was done with a repulse and a loss. On the 27th of June Sherman made his crucial drive, and a mad, terrific clash it was, Thomas and McPherson with three-fourths of the Federal army striking Hardee and Loring, who had succeeded the noble Polk. The Federal line, with a desperate courage unsurpassed anywhere, rolled against Johnston's entrenched ranks, but it recoiled, smitten and shattered, in crumbling, bloody fragments, with the loss of thousands. Sherman was satisfied with a direct march upon our army for over three straight crimson weeks, and he returned to his tactical waltzing. He shot McPherson's army for the Chattahoochee on the right, and back slid the undecivable Johnston out of the strategic trap, and after a number of days of lively snapping, on the 9th of July, 1864, he crossed the Chattahoochee with his army as solid as a packed cotton bale, and North Georgia, reposing in Sherman's grim clutch, helpless and miserable.

Both armies went to sponging off for the next grapple. For two weeks they rested. It is always wise to heed a foe. The following pregnant and impressive sentences so aptly tell the truth that quoting them is an irresistible temptation. They are from Swinton's famous Book.

"In the latter days of the Confederacy, the grim fatality which from the outset had walked with it, side by side, along its destined course, silent and unseen, seemed to throw off, at length, the cloak of invisibility, to stab it boldly with mortal blows. While in the enthusiasm of the contest, it seemed hardly fanciful to declare that fate itself, shadowing the Confederacy so long through successes, with unsuspected presence, at length revealed its sardonic figure in the moment of destiny, to fix its doom and downfall. One such mysterious blow to the Confederacy was that by which Gen. Johnston was removed from its Western army, at the moment when he was most needful for its salvation, kept from command till an intervening general had ruined and disintegrated it, and then gravely restored to the leadership of its pitiful fragments."

On the 17th of July, 1864, the Federal army resumed its active work, and on the same day the President, Mr. Davis, relieved Gen. Johnston of the command of his army, and substituted Gen. Hood in his stead. Johnston had made vigorous preparations for the defense of Atlanta. He was sitting in his tent talking with Gen. Mansfield Lovell, when a package of communications was brought to him. He read one, and then with a quiet unconcern and a pleasant smile handed it to Gen. Lovell, saying, "What do you think of that?" It was the order relieving him of command. Stunned at the order, General Lovell begged him to make no obedience to it until an effort could be made to get it reversed. Johnston declined to make any effort. Gen. Lovell, however, got the corps commanders together, Generals Hardee, Stewart and Hood, and they petitioned and protested against the change, deputizing Gen. Hood himself as a matter of courtesy to send the protest. Gen. Hood sent the dispatch, but it was worded in such a way as to carry no force and exert no effect. Mr. Davis declined to withdraw the order and Johnston returned to privacy.

In this connection it is said upon the authority of two gentlemen closely connected with Mr. Davis, one of them, alleged to be Gen. A. R. Lawton, who had been made the Quartermaster-General of the Confederate armies, and the other, Gen. Gilmer, that he was opposed to removing Gen. Johnston, and reluctantly yielded to the advice of his Cabinet advisers. The account goes that at the meeting when it was determined, Mr. Davis walked up and down the room with his hands behind him in deep anxiety, saying with earnest emphasis and a most troubled manner, that he doubted the propriety of it. This report is the more important because it conflicts with the generally accredited opinion and puts Mr. Davis in a different light.

It is not perhaps irrelevant nor an exaggeration to say that Gen. Johnston's career presents the most remarkable anomaly of military annals. From the beginning to the end he was distrusted and depreciated by the Confederate authorities, yet he held from first to last the confidence and admiration of armies and people. And every effort of the several made to retire him to obscurity, but strengthened him in popular esteem, and resulted in calling him to new exaltation of power, new display of genius and increase of fame. It seemed impossible to dispense with him. The public outcry for his installation in responsible leadership was irresistible. His genius was openly decried, and his administration condemned by his superiors, yet it was utterly in vain so far as the public confidence was concerned. The people stubbornly

believed in him, and the soldiers clamored for his Generalship and fought under it with an unshakable trust and a loving enthusiasm. And while he labored under a continuous censure from the Confederate rulers, he enjoyed a constant triumph of praise from the masses of the people. It certainly presents a strange incident of the war, this incongruity of Johnston's connection with the struggle. Another curious fatality of Johnston was, that his genius was conspicuously and most mournfully vindicated by the blundering failure of others, instead of the successes achievable by the enforcement of his counsels and plans.

When Gen. Johnston was removed he had been fighting an army double his own for seventy-four consecutive days. He had lost in killed and wounded 9,450 men, and inflicted a loss upon the enemy equal to the Southern army. He turned over to Gen. Hood a splendid experienced army of 50,627 veteran soldiers, disciplined, seasoned and buoyant, as fine a band of fighters as the world ever saw, well equipped and armed, well officered, well organized and invincible in Gen. Johnston's hands against attack. The removal of Johnston was the beginning of the end. It was the turning point to ultimate failure. Sherman gave a long, deep breath of relief, and said, "Heretofore the fighting has been as Johnston pleased, but that hereafter it would be as he pleased."

From this time on, the cause steadily sank, until it was engulfed in ruin. The army was the prop of the cause, and the leadership was given to one who was brave enough, but who fatally underestimated its value. Territory lost could be regained. The army gone, the cause was dead. The downfall was progressing surely, and our great Georgia was the theater of its enactment in strange fulfillment of romantic destiny.



GEN. J. E. JOHNSTON

CHAPTER XXIX.

SHERMAN TEARS ATLANTA FROM HOOD.

The Georgia Militia.—Gen. G. W. Smith.—Gov. Brown's Heroic Ardor.—Johnston's Praise of Brown.—Brown and Davis.—Hood's Gallant Waste.—The Battles of the 18th and 22nd of July around Atlanta.—The Death of Col. John M. Brown, brother of Gov. Brown.—Sherman's Cavalry.—Stoneman's Capture.—Hood's Attack 28th July.—Bombardment of Atlanta.—Gov. Brown orders out County Officers.—Hood Sends off his Cavalry.—Jonesboro.—Atlanta Falls.—Its Moral Effect.—The South Stunned.—The North Vivified.—Compliments to the State Militia.—Gov. Brown and Mr. Sedden in their Last Stern Correspondence.—The Close of a Series of Intellectual Conflicts that will Gain Interest with Time.—De Fontaine's Pen Picture of Joe Brown.—Sherman in Atlanta.—His Exile of her People.—Hood and Sherman.—Tart Letters.—Beauregard.—Convention of Governors.—Mr. Davis and Ben Hill Visit Georgia.—Davis' Unwise Speech at Macon.—A Photograph of Mr. Davis.—His Qualities and Needs.—Hood sent to Tennessee.—And the Dark End at Hand.—The Appointment of General A. R. Lawton Quartermaster-General of the Confederate Government.—A Distinguished Officer.—The Great Compliment of this Assignment.—A Vast Responsibility Well Borne.—Georgia's Controlling Agency Continued in this.—Gen. Lawton's Brilliant Administration.—Destruction of all the Quartermaster's Papers.—The Enlistment of Negro Soldiers.—A Remarkable Document.

WE have come to Hood's fatal assumption of command, in the heart of Georgia, of the most important of the twin armies of the Confederacy, on the 17th day of July, 1864. Atlanta and its vicinity were to become the arena of momentous occurrences. The defenses around Atlanta had been going on for weeks. Heavy rifled cannon had been brought from Mobile; the military shops had been removed. Gov. Brown had organized over 10,000 of the State militia, and placed them in the trenches around Atlanta, under Major-General Gustavus W. Smith, with Gen. Toombs as chief of staff, who was placed under Gen. Hood's orders. The conduct of Gov. Brown in this crisis deserves all praise. He did all that mortal man could to aid the desperate and failing cause. His appeals were eloquent and urgent for the sons of the State to rally to its defense. He had used every possible means to supply the troops with arms and clothing. He had chartered ships to import supplies. The Confederate Secretary of the Treasury refused to permit any vessel to clear unless she carried out one-half of the cargo for the Confederate government, which blocked Gov. Brown's

operations. He had bought 30,000 blankets for soldiers and 30,000 cotton cards, and had 300 bales of cotton loaded on the ship *Little Ada* to send out and pay for them, when Mr. Memminger refused a clearance for her. Gov. Brown, in conjunction with Gov. Clark, Gov. Watts and Gov. Vance appealed to Congress for relief. The matter created much comment at the time, but the Confederate authorities refused to yield.

Gen. Johnston states in his "Narrative," that on all occasions he was zealously seconded by Gov. Brown. Quite an important correspondence took place between Gov. Brown and Mr. Davis in June, 1864. Gov. Brown wrote to Mr. Davis asking if reinforcements could not be sent to Georgia, and suggesting that Forrest or Morgan cut Sherman's communications. Mr. Davis replied, saying that he could not change the disposition of our forces so as to help Gen. Johnston more effectually. Gov. Brown answered: "If your mistake should result in the loss of Atlanta and the occupation of other strong points in this State by the enemy, the blow may be fatal to our cause, and remote posterity may have reason to mourn over the error."

Gen. Hood lost little time in assuming the aggressive. Throwing completely over the cautious Fabian strategy of Johnston, Hood committed an error that the most ordinary soldier would have avoided—threw his army against Sherman's double force, strongly entrenched, and met with a bloody repulse. If Sherman with twice the men had been unable to ever drive Johnston, what hope could Hood possibly have to force strong entrenchments with half the men. Hood took command at sunset on the 18th July, 1864. On the 20th, in the afternoon, he struck Sherman on the Buckhead road running from the Chattahoochee river to Decatur. He indented the Federal line at the first onset, but a five hours' gory battle sent him hustling back with a loss of about 5,000 men against a Federal loss of 1700. Nothing daunted, Hood moved out on the Federal left on the night of the 21st, and on the morning of the 22nd pounced savagely upon Sherman. There has been no heavier fighting than this fierce battle. From 11 o'clock until night it raged. The Confederates secured several important advantages by sheer audacity. Gen. James P. McPherson was killed in this battle. Gen. McPherson, though a young officer, was one of the most brilliant in the Federal armies. A monument in the woods near Atlanta marks the spot where he fell. Several batteries were captured, and several valuable positions taken gallantly. Wheeler's cavalry did good service. Prodigies of superb but useless valor were



Asst. Prof. W. H. H. H. H.

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done by Hood's noble men. But Sherman was too strong and too game. Hood withdrew from his fatally earned inches of progress with two pitiful guns and the loss double the enemy, whose hard fighting was shown in a summary of 3,722 casualties. In this battle Gen. W. H. T. Walker was killed and Gen. Mercer wounded. Among the desperately hurt was Lieut. Col. John M. Brown, a brother of Gov. Brown, who was wounded while leading his regiment, one of the State organizations, gallantly in a charge. He was twenty-five years old. He had been wounded at the battle of Resaca while holding the rank of Major. He returned to his command before his wound was healed, and was unanimously elected Lieut. Colonel. He took part in the Kennesaw battle. He was commanding the regiment on the 22nd. He was a very promising officer, and beloved by his regiment. This was the second brother that Gov. Brown lost in the service. Col. Brown died from his wound at the executive mansion on the 25th of July, 1864. While standing by the bedside of his dying brother, Gov. Brown was called upon to provide means for the defense of Milledgeville threatened by a raid, and it seemed doubtful if he would be permitted to bury his brother in peace.

Sherman's cavalry were very active. Garrard broke some bridges near Covington on the Georgia road. Rousseau tore up the West Point road at Opelika. Stoneman with 5,000 troopers and McCook with 4,000 went out to meet on the Macon road and rip up matters. Both commands were surrounded. McCook escaped, but Stoneman surrendered to a force consisting of Iverson's Georgia brigade, Adams' Alabama brigade and Williams' brigade, under command of Brig. Gen. Alfred Iverson. Stoneman had attacked Macon but had been repulsed by a part of Gov. Brown's militia under Gen. Cobb, both Gov. Brown and Gen. Cobb being on the field, and acting under suggestion of Gen. Jos. E. Johnston, who was present supervising the engagement. Over 600 Federals were captured. The grateful citizens of Macon proposed a dinner to Iverson and his command, but the command was ordered away before the purpose could be carried out.

The fighting around Atlanta up to this time had been done on the South-east. Sherman moved his forces over on the west side, and Hood followed him up. On the 28th of July, 1864, Hood made another of his daring onslaughts upon Sherman with the same unsuccessful and bloody result, a loss of three or four of his own men to one of the enemy. The losses of Hood in killed and wounded, not including the captured, up to July the 31st, from the night of the 18th, or thirteen

days, were 8,841, or only 609 less than Johnston had lost in seventy-four days' continuous battle, in which Johnston had whipped every conflict and Hood lost every one he had fought. On the 5th of August Schofield struck Hood's line, but was driven back with a loss of 400 men. This was the sole Confederate success won by Hood, and it illustrated the wisdom of Johnston's strategy. A division of Federal cavalry made an attack upon Macon, but were repulsed by Maj. Gen. Howell Cobb with two regiments of militia and several other commands.

Sherman constantly bombarded Atlanta, throwing his shot and shell into the heart of the city. The private residences were daily struck. The dwelling of Judge C. H. Strong, the present clerk of the superior court, the stores of Beech & Root and W. F. Herring on Whitehall street, the residences of E. B. Walker and A. M. Wallace on Ivy street, and hundreds of others, were damaged. People burrowed in their cellars for protection; basement stories were at a decided premium; and holes in railroad cuts were utilized in the cause of personal safety.

The campaign was rapidly culminating. Sherman finding that direct assault was unavailing, and that Hood had learned by costly experience the lesson that Johnston had so astutely understood at the start, that he must economize his army, again resorted to his old strategy. In the meantime Gov. Brown, appreciating the emergency, was reinforcing the State militia. He used every means to get men to the front. Some foreigners were dodging military duty. He issued an order driving aliens from the State unless they would do service. He ordered out the county officers. He infringed pretty nearly upon the cradle and the grave. His energy was unbounded. And the raw State militia did noble duty. Gen. Johnston on the 7th of July wrote to Gov. Brown complimenting the Georgia State troops. After the battle of the 22nd of July Gen. Hood wrote Gov. Brown that they had fought with great gallantry. The field officers were as follows:

First Brigade, Brigadier General R. W. Carswell.

First Regiment, Colonel E. H. Pottle.

Second Regiment, Colonel C. D. Anderson.

Fifth Regiment, Colonel S. S. Stafford.

First Battalion, Lieutenant Colonel McCay.

Second Brigade, Brigadier General P. J. Phillips.

Third Regiment, Colonel Jno. M. Hill.

Fourth Regiment, Colonel R. McMillan.

Sixth Regiment, Colonel J. W. Burney.

Independent Artillery Battalion, Colonel C. W. Styles.

The Staff was as follows:

Major General, Gustavus W. Smith.

Inspector General, General Robert Toombs.

Adjutant General, Major W. K. De Graffenseid.

Chief of Artillery and Ordnance, Colonel Joseph S. Claghorn.

Chief Quartermaster, Colonel L. H. O. Martin.

Chief Commissary, Major W. J. Williford.

Medical Director, Dr. H. R. Casey.

Division Surgeon, Dr. Thomas A. Rains.

Aid-de-Camp, Colonel Linton Stephens.

Gen. Sherman struck out on the 25th of August, 1864, for his final mischief in the matter of securing Atlanta. Gen. Hood perpetrated another of his irreparable blunders, that Gen. Johnston so unerringly avoided. He sent off Wheeler's cavalry to cut the State road. Sherman leaped to the opportunity. He dashed down on the West Point railroad and tore up twelve continuous miles. He then made for the Macon railroad, threatening it for eleven miles from Rough and Ready to Jonesboro. Hardee and S. D. Lee were at Jonesboro, and made a rushing onslaught upon the Federal force on the 31st of August, 1864, but retired finally with a heavy punishment upon both sides. The next day, the 1st of September, Lee having been withdrawn by Hood the night before, Sherman attacked Hardee's attenuated line late in the afternoon. The fight was a frightful one, and Hardee's dauntless corps, fighting overwhelming odds, covered itself all over with glory. But a break was made at one point by the pure pressure of numbers. The line reformed in the short distance of one hundred and fifty yards from the break, and held until night. But the campaign was ended. The road to Atlanta was in Sherman's hands, and Hood moved out of Atlanta amid the thunder of exploded magazines and the baleful light of burning military stores, fired to destroy them. In the silence of the night the reverberations of this ominous noise, the counterfeit of battle, and the gloomy glare of conflagrations at Atlanta, came down the twenty miles to cheer the slumbering Federal conquerors, and to sadden the weary, mutilated legions of Hardee, sullenly leaving the blood-stained streets of Jonesboro.

The moral effect of the fall of Atlanta was simply immeasurable. In Virginia, Lee had repulsed every assault, destroying innumerable Federals, and manning his lines with a seemingly untouched capacity of resistance. Jubal Early, in the Valley, had won a startling success. The North was gloomy. A convention there clamored for peace. The people grumbled savagely. An additional half a million of soldiers was

drafted, and Lincoln squinted at peace negotiations. In this pervasive depression, the capture of Atlanta thrilled the Union with its ringing spell. The Southern Heart was reached. Half of Georgia lay writhing in Sherman's iron grasp, and with it the Gate City, the Key to our Southern railroads, workshops, granaries, prisons, and arsenals. Standing midway between the cotton and grain belts the Federal commander, viewing the successful issue of his wonderful campaign, with its superb succession of battles and strategy, and the sorely wounded army of his foe, driven, shattered and bleeding from its cherished and vital stronghold, sent back to the North such a note of encouragement and triumph as gave lasting inspiration to the Union cause.

But if the taking of Atlanta so enthused and strengthened the North, it fell upon the South with a proportionately depressing effect. Men began to talk of peace. Some gentlemen wrote to Alee Stephens and Herschell V. Johnson, the two strong Union men at the beginning of the war, for their views of the propriety of attempting a peace movement. Both replied advising against it then. In the lull in operations following the fall of Atlanta, Gov. Brown furloughed the state militia for thirty days to go home and look after domestic matters and prepare for the next campaign. This militia force embraced men not included in the conscription law, the state officers and boys down to 16 years, and old men up to 55. Many of them had seen service and been discharged for disability. They were dubbed "Joe Brown's Pets." They were unable to stand much hardship, but as has been seen they had fought heroically, and performed service that was gratefully acknowledged by both Generals Johnston and Hood, in the following letters:

"NEAR CHATTAHOOCHEE, 7th July, 1864.

"*To His Excellency, J. E. Brown, Governor:*

"I have the pleasure to inform you that the State Troops promise well, and have already done good service. While the army was near Marietta they were employed to support the cavalry on the extreme left, and occupied a position quite distinct from any other infantry of ours. According to all accounts, their conduct in the presence of the enemy was firm and creditable. Such Federal parties as approached the crossing places of the Chattahoochee guarded by them, have been driven back. These proofs of their value make me anxious that their number shall be increased. Is it possible? You know that the distinguished officer at their head is competent to high command.

"Most Respectfully, Your obedient servant,

J. E. JOHNSTON."

"HEAD-QUARTERS, July 23d, 1864.

"*To His Excellency, Governor Brown:*

"The State Troops under Major Gen. Smith fought with great gallantry in the action of yesterday.

J. B. HOOD, General."

The following is an extract from a letter from Major General G. W. Smith to Gov. Brown, relative to the fight of the 22d July, at Atlanta:

"The Militia did themselves great credit *outside* of the trenches on Friday. They marched over the breastworks—advanced upon the entrenchments of the enemy in fine order, took position within three hundred yards, and silenced the artillery by musketry fire through the embrasures. We had no support on our right within a mile, none on our left within six hundred yards, and our troops on the left were driven back.

"We held our position for several hours, and only withdrew after receiving an order to that effect from General Hood, which order was given because the troops upon our left had been repulsed. There was not a single straggler."

These troops were the occasion of the last memorable controversy between Gov. Brown and the Confederate administration. Mr. Davis, through Mr. Seddon, made requisition upon Gov. Brown for these 10,000 militia and such other force as he might be able to raise; those in Gen. Hood's department to report to him, and those outside to the commandant of South Carolina and Georgia. This requisition was dated August 30, 1864, and alleged the condition of the State subjected to formidable invasion as the basis for it.

In the desperate stress of the Confederacy and the stern spirit that pervaded all classes in the consciousness of impending disaster, the forms of politeness were ignored. The antagonism between these high officials had widened and become more embittered. The correspondence is as fiery, incisive and biting as it was possible to be. It was war to the knife. The requisition of Mr. Seddon was received on the 12th of September, and Gov. Brown made immediate reply. He regretted that Mr. Davis was so late in discovering that Georgia was in such danger. The "formidable invasion" began in May and was still going on. He scathed the military policy that had scattered forces instead of concentrating at the point of danger, that had withheld reinforcements until the damage was accomplished, and that had left in our rear a camp of 30,000 Federal prisoners. He scored the administration for not discovering that these troops were already in the trenches fighting under Gen. Hood. As the call for them was unnecessary, he argued that Mr. Davis desired to get control of the whole of the reserve militia, disband its organization and put his own officers over the troops. These commands had been gallantly fighting and many of them filled soldiers' graves. No other state had organized such a force not subject to conscription, and placed it in command of the Confederate general, and no such requisition was made upon the Governor of any state but Georgia. The requisition, too, was made in such a manner as to take the troops out of the trenches rather than putting them in, dividing the troops and

sending a part of them to Charleston. Gov. Brown refused to honor the requisition, but said that he should keep these troops at the front under command of the Confederate General as long as he staid in Georgia. Gov. Brown went on to suggest that Georgia had fifty regiments in Virginia besides soldiers in every State. If her brave sons could return to fight for their own State, if they could not drive back the invader, they would perish in a last effort.

October 8, 1864, Mr. Seddon replied. He began: "It requires forbearance in reply to maintain the respect I would pay your station and observe the official propriety you have so transcended." The reason of the call was to get the full organization of militia, impart unity and efficiency to the troops, and subsist and pay them at Confederate expense. The President had the right to call such militia. This is the first case where the right had been questioned. In the war with Great Britain, Massachusetts and Connecticut had made some such point, but it was overruled, and the impression was created that these states were in collusion with the enemy. Mr. Seddon directly charged that Gov. Brown's prominent and influencing reasons sprung from "a spirit of opposition to the government of the Confederate States and animosity to the chief magistrate whom the people of the Confederacy have honored by their choice and confidence." He said that Gov. Brown's resistance to conscription had impaired the help given to Georgia; that his suspicions of Mr. Davis wanting to disband the militia to reorganize it with his own officers was chimerical; that he had formed nondescript organizations, scant in men and full of officers, affording scarcely a decent division of 4,000 men out of an alleged 16,000, and that Gov. Brown had, by the spirit of his past action and public expressions, caused our enemies to feel encouraged, and the patriotic citizens of the Confederacy to feel mortified. He closed with these biting words:

"To the department it would be far more grateful, instead of being engaged in reminding of constitutional obligations and repelling unjust imputations, to be co-operating with your Excellency in a spirit of unity and confidence in the defense of your State and the overthrow of the invader."

Gov. Brown, on November 14, 1864, replied that he intended no personal disrespect in his letter. He was dealing with principles and proposed to do so frankly. He dissected the nature of the call made on him for boys and old men not subject to conscription or to serve in armies, and showed there was no analogy to the case of Massachusetts and Connecticut, who were called on for men liable to service. In the case of Georgia the call was for militia not subject to duty, or to Con-

federate call, and not called for from any other State, but already in the field under the Confederate commander. Gov. Brown went on in this letter to answer the various points made against him; that his "nondescript" organizations were in exact conformity to the law; that his "scarcely decent division" of 4,000 men only embraced the territory between Atlanta and the Tennessee line, leaving the territory below with 12,000 men untouched; that any interruption with Confederate plans was imaginary; that he could scarcely have given more encouragement to the enemy than Mr. Davis did in his Macon speech when he informed the world that two-thirds of the Confederate soldiers were away from their posts, and that his animosity to Mr. Davis was really his unwillingness to indorse the errors of the administration. His concluding sentence thus reads:

"No military authority, State or Confederate, can be lawfully used for any other purpose than to uphold the civil authorities, and so much of it as the Constitution of my country has confided to my hands shall be used for that purpose, whether civil society, its constitution and laws shall be invaded from without or within. Measured by your standard, this is doubtless disloyalty. Tested by mine, it is a high duty to my country."

Mr. Seddon answered on the 13th of December, 1864. His letter continues the sharp discourtesy, stating that if there had been any "want of faith or breach of duty" Gov. Brown was the "guilty party," alluding to what he called Gov. Brown's "garbled extracts" from the correspondence with the department, and speaking of his "wanton and reckless assaults" upon the Confederate administration. In his concluding letter, dated January 6, 1865, Gov. Brown refers to the devastation of Georgia, and says that the only slight barrier to the foe was this very militia of boys and old men that he refused to turn over to Mr. Davis and permit a portion of them to be sent to Charleston as required by Mr. Davis while they were in the trenches defending Atlanta.

This correspondence reflected the temper of those stern days, and closed a series of constitutional conflicts that will gain interest with the passage of time. And they will become unceasingly famous in illustrating, to use the expressive language of Mr. Grady, that vivid user of words: "Brown, the pallid, forceful mountaineer, who held the helm through Georgia's bloodiest days, and went through a revolution as the foil of its President, standing for the sovereignty of the States against a centralized confederacy."

It will not be inappropriate in this connection to quote from the journalistic correspondence of that day a portion of a letter written from Georgia to the Charleston South Carolinian by Mr. F. G. De Fon-

taine. He wrote over the name of "Personne," which he made famous then, and he was a rival of our own Georgia war correspondent, Col. P. W. Alexander, who under the initials "P. W. A." achieved so much distinction for his war letters. De Fontaine was very brilliant and his letters were vivid and sparkling pictures. Here is his letter alluded to, and it portrays Gov. Brown:

"Take a delicately constructed human form, robe it in a summer suit of black with that careless grace which so well becomes a Southern gentleman; give it a light quick step and an easy motion which betokens at once the peacefulness of a lamb or the leap of a tiger; let there rise from the recesses of a roughly turned shirt collar, a long muscular neck, on which there sets a handsomely shaped head—not too broad across the eyes, but long from front to rear, and high from ears to summit—a little too large for the body below, both as regards motive power and proportion; surmount the whole with a not too quickly growing mass of iron gray hair, which is brushed well back from the temples, revealing a tall, expansive and expressive forehead, marked with lines of mental toil; set under a brow indicative of the moral strength of the man, a pair of keen dark eyes, mild or piercing as his thoughts may chance to flow, whose variable color may be either gray, black or brown; fasten in its proper place one of those solid looking noses by which Napoleon used to choose his thinking men; close the catalogue of features by the addition of a large Henry Clay style of mouth, with an under jaw that can work with the force and vehemence of a trip hammer, and lips so pliable, that like his eyes, they express every feeling, and you have the *tout ensemble* of the not ungraceful form and clean shaven face of a man whose name has gone the rounds of every household in the confederacy—His Excellency, Joseph E. Brown, Governor of Georgia.

"An hour's conversation has revealed him to me as one of the most remarkable men it has been my fortune to encounter during the war, not remarkable perhaps for high intellectual attainments—though probably he is not wanting in these—but remarkable in the possession of those strong personal qualities which eminently fit him for the position he now occupies, as a leader of the people of his state, and an obstinate opponent of the policy of the general government.

"If his manner is polite to a fault, and winning in its silent eloquence, his conversation is doubly attractive, as the outpouring of a nature evidently sincere, conscientious, and fully imbued with a sense of the grave responsibilities with which he has been invested. His utterances are rapid, though frequently overtaking speech, and his gestures few, but forcible and nervous. Fastening his eyes on one who converses with him, fact after fact, and statement after statement roll from his lips in quick succession, until the whole argument clearly and completely shaped stands before you like a picture. Then he becomes a ready listener, with great frankness, he combines a determination that never balks at difficulty, and would make him almost fierce in the achievement of an end, the way to which was environed with obstacles. Shrewd as a politician, genial in his social intercourse, accessible to any and all, plausible in his statements, with great success in the administration of state affairs as an unimpeachable fact to back him, and more than all, for his strength and fortress a principle always taking with the mass of the people, I can readily understand the secret of the popularity which has been attained by Gov. Brown.

"Remarking to him, in the course of our interview, that his policy was not generally understood beyond the limits of his own state, and was accordingly regarded as inimical

to the best interests of the Confederacy, he replied, and not without some force, that the platform on which he stood now, was the same as that occupied by every state of the Confederacy in 1861. Georgia, in common with her sisters, as a sovereign state, had delegated to the general government, as an agent, certain powers; and only when these were transcended or usurped by Mr. Davis, or by Congress, had he (the Governor) stepped forward to enter his protest against the act. In so doing he had merely made an issue on principle, that it might not be retorted upon him in the future that he silently acquiesced in measures clearly inconsistent with the spirit of the Constitution. The encroachments of centralized power had been the curse of the continent, and it behooved every statesman in the South to see to it that while yielding to our own general government all proper support, every attempt by it to interfere with the action of the state authorities should be promptly met and checked. To use the Governor's own illustration—we were all sailing in the same boat, and although the pilot at the helm might be steering upon a reef, the crew while discovering the danger should only protest, not mutiny. Thus he would be the last man in the Confederacy to throw obstacles in the way of the President, and had ever rendered all the support in his power. He had always furnished more troops than were demanded, and he was in the present instance calling on his militia without a hint to that end from the Executive. Peace he did not want and would not have, except on terms consistent with the honor of the South; and hence he was utterly and every way opposed to the efforts on the part of a faction in North Carolina to get up a state convention, looking to the accomplishment of that object by any other means than those now employed. He had advised against it and should continue to do so. The idea of a further secession on the part of any Southern state was preposterous, and those who imagined that the attitude of Georgia to-day, or of any of her officials, lent color or probability to such an event, were committing one of the greatest of errors.

"I confess myself surprised at the frank definition of his position which Gov. Brown gave me. Although the above is but the substance of his remarks, I repeat them to your readers, because they will serve to disabuse many a mind of the idea, that he is the dangerous 'element of discord' which thousands now believe him to be."

This letter is a valuable, and in many respects a remarkable one, and especially so in the intuition of Gov. Brown's character attained in so brief a scrutiny. It is a fine piece of word-painting, and an accurate comprehension and fair statement of Gov. Brown's important position. Mr. De Fontaine's picture is well worthy of preservation.

Recurring to Gen. Sherman's occupation of Atlanta, he inaugurated a vigorous policy. His idea seemed to be to make it purely a military station. Upon his entrance he was met by the Mayor, Col. James M. Calhoun, and other citizens, who sought the protection of the city. He issued an order outlawing Col. G. W. Lee, Col. Alexander M. Wallace, Capt. G. W. Anderson and Mr. C. W. Hunnicutt, on account of certain alleged offenses against Union people. He ordered the departure of all the citizens from Atlanta, and he notified Gen. Hood, on the 7th of September, 1864, that he would remove them and their baggage to Rough and Ready, sending the letter by James M. Ball and James R.

Crew. A sharp correspondence ensued. Gen. Hood replied pronouncing the measure unprecedented in transcending the "studied and ingenious cruelty of all acts ever before brought before the attention of mankind, even in the darkest history of war." Gen. Sherman retorted back, tartly telling Gen. Hood to "talk to the marines;" that the act was a kindness to the people of Atlanta; and arraigning the Southern generals for savagery in warfare, and the South for causing the war. Gen. Hood replied, repelling the charge of harsh warfare by the Southern generals, declining to discuss any political questions, and declining also to accept the statement, that the exile of a whole people of a city at the point of the bayonet from their homes in the interest of the United States government, was a kindness. The whole number thus exiled was reported to be between 1,600 and 1,700 persons.

The policy of Gen. Sherman was a severe one, but it was based upon the philosophy that war is a cruelty, and he drove to results unsparingly. The exile of the whole people, and the destruction of the city afterwards, were evidently parts of his plan, which had the military merit, whatever may be said of its humanity, that it gashed the Confederacy to death and ended the war in favor of the North.

Gen. Beauregard was assigned to the command of the Department including Georgia. He visited Gov. Brown at Milledgeville, and received an ovation from the people, to whom he made a brief speech expressing his belief that Sherman could be driven from Georgia in sixty days if the absentees would return to the army. Gen. A. R. Wright was ordered to Georgia and placed in command at Augusta. Gen. Hardee was ordered to Charleston and placed in charge of the coast.

A convention of the Governors of Georgia, Virginia, North Carolina, South Carolina, Alabama and Mississippi, was held in Augusta on the 25th day of October, 1864, when resolutions of Gov. William Smith were passed, expressing confidence in the success of the cause, and pledging to the soldiers in the field every effort to increase our armies; and also recommending the passage of certain measures to aid the present prosecution of the war.

Early in October President Davis, accompanied by Hon. Benjamin H. Hill, visited Georgia. During all of these trying days Mr. Hill was in close counsel with Mr. Davis, affording him a hearty co-operation and sympathy. It was a coincidence at once interesting and suggestive, that the main props and opponents of the administration's policy were Georgians. Before the removal of Gen. Johnston, Mr. Hill had made a visit to him as a quasi-representative of Mr. Davis. On the visit in

October, 1864, Mr. Hill was with him, and they spoke together. At Macon, Mr. Davis made a speech, to which Gov. Brown makes reference in his last letter to Mr. Seddon in the correspondence about the State militia heretofore given. Mr. Davis gave a gloomy view of matters in this noted speech. He stated that two-thirds of the Southern armies were absent from duty. He also called the retreat from Dalton a "deep disgrace." He declared the man who charged that he had abandoned Georgia a "miserable man" and "a scoundrel." In that unconquerable spirit which belonged to this most heroic man,—the very type and incarnation of dauntless courage—he urged the people not to despond. But in spite of this resolute spirit that breathed from him unquailingly, his speech did infinite harm. It encouraged the foe and chilled our own people. The revelation was impotent for good. The tone of Mr. Davis was damaging to our cause. It was a sour, spiteful utterance, that showed deep concern and unpoised irritability. It was the anguish of a conscientious soul over calamity to cherished hopes.

Mr. Davis had noble qualities and was a great man. He had many of the requirements of his terrific position—his overwhelming trust. But yet he was not the man as a whole for it. He was brave, able, honest, loyal, firm. The heroic element in Davis was great. His intellect was of uncommon power and culture. Mr. Davis was an orator, a statesman, a general, a patriot. He was intelligent and conscientious. But he lacked mobility. He was a man of stubborn prejudices and a jagged temper. The diplomacy of statesmanship he knew not at all. He had a large faculty of making enemies. He was not a wise man. He lacked great common sense. He obstinately clung to useless and unavailable instruments. His resentments potently and yet unknowingly governed his action. He was a singular blending of the true and the unwise. Mr. Davis did not seem to learn anything from his mistakes. All men make blunders, and most men profit by them. He profited nothing. He clung intrepidly to his errors. He showed a sublime tenacity in adhering to unpopular and unsuccessful recipients of his confidence. But it is undeniably true that the Confederacy had than he no higher symbol of unvanquishable courage, constitutional principle and exalted patriotism.

Mr. Davis and Mr. Hill went to Hood's head-quarters, and the result of the conference of the President with the General of this priceless army was that in a few days Hood started on that ill-fated expedition into Tennessee which ended in the annihilation of the army. And Sherman was free to go on his "March to the Sea," which gave the death-

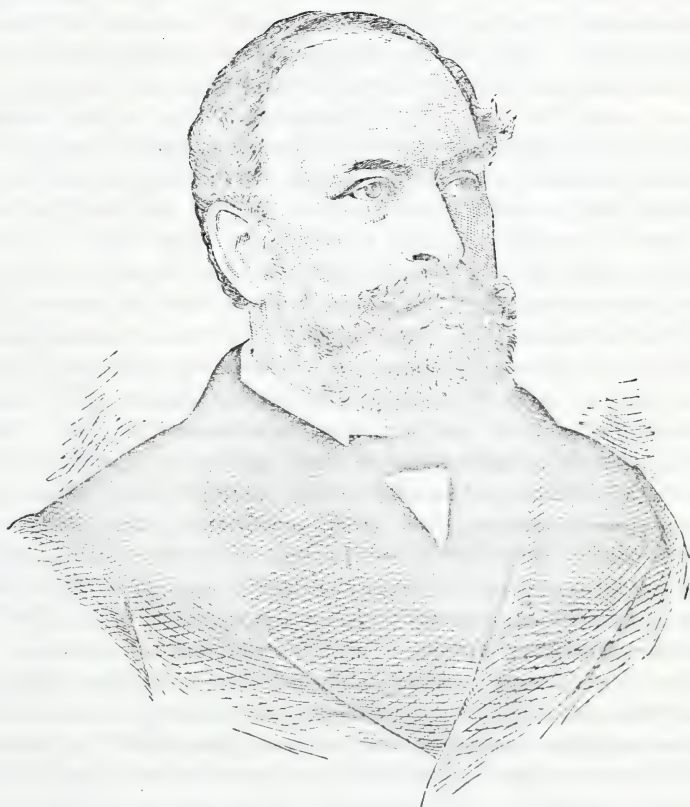
blow to the Southern Confederacy. Georgia stuck grimly to her fateful potency in the revolution. It seemed out of the range of possibility to thwart this remarkable destiny.

Another conspicuous instance of Georgia's extraordinary and controlling agency in this war, was the appointment of that distinguished Georgian, Gen. A. R. Lawton, to the head of the most important practical branch of the war department, the Quartermaster's. Gen. Lawton took charge as Quartermaster-General in August, 1863, and continued to perform the stupendous duties of that responsible office until the surrender. He was a South Carolinian by birth, a graduate of West Point, and served in the 1st Regiment of U. S. Artillery for eighteen months on the frontier of the British Provinces. Resigning he became a lawyer, graduating at Harvard Law School, and settled in Savannah. He has been one of the acknowledged leaders of the Georgia bar, conducting many of the most important cases in the Supreme Court of Georgia, some of them having been carried to and argued in the Supreme Court of the United States.

As has been stated, he was Colonel of the only Volunteer Regiment in Georgia when the war begun, and seized Fort Pulaski under Gov. Brown's orders. He retained command in Savannah under state commission until in April, 1861, he was commissioned Brigadier General in the Confederate army and assigned to the command of the Georgia coast until June, 1862, when at his own request he went to Virginia with 5,000 men of his command that Gen. Lee called on him to send. Gen. Henry R. Jackson had turned over to him his superb division of State troops, and he had over 12,000 men under him at one time.

In Virginia his service was brilliant and honorable. He joined Stonewall Jackson in the Valley, and returned with him to make the flank movement against McClellan and take part in the seven days' fight around Richmond. His Brigade was the largest in Gen. Lee's army and bore a conspicuous part, losing heavily in the battles of Cold Harbor and Malvern Hill. When Ewell was wounded at 2nd Manassas he took charge of that officer's division, which he commanded at Chantilly, Harper's Ferry and Sharpsburg. He was seriously wounded at Sharpsburg and his horse killed. He was disabled until May, 1863, when, though still lame, he reported in person for duty to the Adjutant General in Richmond. Under Gen. Lawton's command the Ewell division made a glowing record. The Richmond press declared it had "covered itself with glory."

Before Gen. Lawton reported for duty in May, 1863, the Confederate



A. R. LAWTON,
QUARTERMASTER-GENERAL, C. S. A.

Congress had conferred additional rank on the office of Quartermaster-General, and thus gave the President the opportunity to confer that rank on the officer then at the head of that Bureau, or to assign some General officer to the discharge of its duties. The President and Secretary of War decided to assign General Lawton to that position. He objected strenuously to the assignment, declaring that he had entered the service for duty in the field, that he had no experience whatever in bureau service, and that the resources at the command of the Quartermaster-General were so reduced that no hand new at the business could reorganize it with success. His objections were such as to cause a delay of two or three months in ordering him to that duty. When it was pressed upon him a second time, President Davis said that he considered the position one of such importance to our success that there was no man, of any rank whatever in the Confederate service, save only the commanders of the two great armies, whom he would not withdraw from the field, and assign to that duty, if he could find the person who was best fitted for it. Under these circumstances Gen. Lawton was ordered to the head of that Bureau, and took charge of it in August, 1863, and continued to perform its great and invaluable duties until the close of the war.

This assignment was a strong tribute to this distinguished officer, and it curiously continued the masterful instrumentality of Georgia in the revolution. The responsibilities thus assumed by Gen. Lawton were appalling. The Quartermaster's department had charge of all field and railroad transportation over the whole immense theater of war, including the furnishing and foraging of horses for all branches of the service; it furnished all buildings, tents, and camp and garrison equipage, even to cooking utensils; all the clothing of the army; and was charged with the payment of the troops. Its supervision extended from the Potomac to the Rio Grande. Railways, destroyed by the ravages of war, had to be kept in condition for transportation in a country practically without iron, without locomotive works or rolling mills. Horses had to be furnished for all the exigencies of war, within a territory which had never supplied one half the demand, even for farming purposes and pleasure riding. Clothing had to be created where there were not wool and leather enough within the territory at our command for a complete outfit for twelve months. These were some of the vast difficulties to be overcome.

A prominent Englishman, near the close of the war, remarked that it was easier for his people to understand how one man, suffering under wrongs and injuries inflicted, could meet and vanquish two or even three, than it was for them to understand how we made one horse serve the

purpose of three, and one pound of iron, or leather, or wool, perform the service of three. These great difficulties were met by Gen. Lawton, our capable and resolute Georgian, with an unsurpassable tact and energy. His enterprise and resources were boundless. While the papers of Richmond especially, and of other places, were constantly declaring against and finding fault with the other supply departments of the government, not one word of censure was ever written against the administration of the Quartermaster-General's office while Gen. Lawton was at the head of it. This constitutes remarkable testimony to the efficiency of his administration of this stupendous duty, for he had in the very nature of things to refuse five applications where he could grant one, so limited were our resources and so great the wants. It was a colossal responsibility nobly borne.

Nor were his difficulties lessened by the fact, that nearly every one of the appointments to office were made under the administration of his predecessor, and therefore he had to deal with the personelle of a department which he had no hand in selecting. He availed himself of every opportunity to diminish the number of Quartermasters, and steadily refused to increase them. He had to transport nearly all of the food and horses of Gen. Lee's army a distance of six to eight hundred miles by land, a thing never before accomplished in the history of war. Perhaps the most striking case of prompt transportation on worn-out railroads that ever occurred, was the transfer of Longstreet's Corps from the Rapidan in Virginia to the Chickamauga in Georgia, in time to change the results of that bloody battle of the "River of Death." Gen. Lee had a long and serious interview with Gen. Lawton about sending that corps away, it being a most critical moment, and he feared that the absence of these troops might expose his army to great danger, while they might be too late to help Bragg. Gen. Lawton had all the calculations made, based upon our resources, and promised to land this corps at its destination by a certain day and hour. The corps reached it twelve hours before the promised moment. Gen. Longstreet's corps had quite a sprinkling of Georgia troops. It was a striking coincidence that the administrative genius of this Georgia Quartermaster-General in the extraordinary movement of this body of troops, composed to a considerable extent of Georgians, should have given to the Confederate arms on Georgia soil one of the greatest victories of the war. Gen. Sorrell, Adjutant-General to Gen. Longstreet, expressed the opinion that this feat of transportation was one of the most successful of the revolution.

There were many brilliant features of Gen. Lawton's administration of this great department—features marked by that fine, discriminating judgment that constitutes one of the most essential qualities of executive capacity. He found that most of the factories had been stranded by the irregular and arbitrary manner in which the government had taken control of their wares. He first appointed inspectors to visit them all and ascertain their resources, capacity and probable results. They were then required to sell only a certain portion to the government, leaving them free to sell the rest to the people, so that they could procure the money, or other things by barter, necessary to keep them running. Thus was avoided the danger of killing the goose that laid the golden egg. The same course was pursued as to leather and other articles required for the army.

In this connection every Georgian will take pride in the fact, which also runs in the line of our State supremacy to which so many allusions have been made, that the city of Columbus, Georgia, furnished more manufactured articles of every kind to the Confederate Quartermaster's department than any place in the Confederacy except Richmond, which had all the protection and fostering care of the government. This superiority was not relative, according to population; but absolute, producing more clothing, shoes, hats, cooking utensils, axes, spades, harness, etc., etc. Gen. Lawton found that clothing and other articles coming to us through the blockade were at once distributed and consumed under the orders of commanders controlling the ports where they arrived; and of course those in "safe places" got the lion's share. This was all stopped, and every bale of cloth, box of shoes and other supplies were put under the exclusive control, on arrival, of the Quartermaster-General, and thus they reached *the men in the field*.

Every branch of this vast and varied department was thus systematized, improved and more economically administered by this clear-headed, capable, positive Georgian, and from the civil and military heads as well as the armies and people, there was a continuous and universal approval of his masterly régime.

The Quartermaster-General did not hold money or property; not being a bonded officer, no funds were placed in his hands by the Treasury department, and he never receipted for any property. The confusion of the surrender found him with nothing left in his charge, but the records and papers of the Bureau, which were all destroyed in the great fire at Richmond on the day of the evacuation.

Perhaps nothing can demonstrate more vividly the stress of the

Southern cause in the last days of the conflict, and the desperate purpose of its defenders to succeed than the following extraordinary document, which not only urged the enlistment of negro soldiers, but proposed to take colored recruits into white regiments. Gen. Lee and Gen. Cleburne favored the policy of negro soldiers, but the people, the army and the leaders, were against. Public sentiment was so much opposed to this method of recruiting our armies, that it was never done. The objections offered to it were two-fold—that it would take away the laborers from the field who were raising provision to feed the soldiers, and it was equivalent to practical emancipation. But as large numbers of the colored men were enlisted in the Federal army and fought against us, it is a grave question whether it would not have been wise to have thus utilized the blacks, offering them freedom for their service. Whether it would have had any appreciable effect upon the result is a matter of speculation. The experiment was not tried on the Southern side of the struggle, and the failure to make it was a conspicuous example of the strength of sentiment in directing an immense practical matter.

"CAMP 49TH GA. REG. }
Near Petersburg, March 15, 1865. }

"COL. W. H. TAYLOR, A. A. G. :

"*Sir:* The undersigned commissioned officers of this regiment, having maturely considered the following plan for recruiting this regiment, and having freely consulted with the enlisted men, who almost unanimously agree to it, respectfully submit it, through you, to the Commanding General for his consideration.

"**FIRST,** That our companies be permitted to fill up their ranks with negroes to the maximum number under the recent act of Congress.

"**SECOND,** That the negroes in these counties of Georgia, from which our companies hail from, be conscribed, in such numbers and under such regulations as the War Department may deem proper.

"**THIRD,** That after the negroes have been so conscribed, an officer or enlisted man from each company be sent home to select from the negro conscripts such who may have owners, or may belong to families of whom representatives are in the company, or who from former acquaintance with the men, may be deemed suitable to be incorporated in those companies.

"For the purpose of carrying out more effectually and promptly the plan, as indicated under the third head, it is respectfully suggested that each man in the regiment be required to furnish a list of relatives, friends or acquaintances in his county, of whom it is likely, that negroes may be conscribed, so as to facilitate the labors of the officer or man who may be detailed to bring the negroes to the regiment.

"When in former years, for pecuniary purposes, we did not consider it disgraceful to labor with negroes in the field or at the same work-bench, we certainly will not look at it in any other light at this time, when an end so glorious as our independence is to be achieved. We sincerely believe that the adoption throughout our army of the course indicated in the above plan or something similar to it, will ensure a speedy

availability of the negro element, in our midst for military purposes, and create or rather cement a reciprocal attachment between the men now in service, and the negroes highly beneficial to the service, and which could probably not be otherwise obtained.

We have the honor to be, very respectfully, your obedient servants,

"J. T. JORDAN, Colonel,
J. B. DUGGAN, Major,
M. NEWMAN, Adjutant,
L. E. VEAL, First Lieutenant Co. A,
L. L. WILLIAMS, Captain Co's B and G,
J. F. DUGGAN, Captain Co. C,
L. M. ANDREWS, Captain Co. D,
C. R. WALDEN, Lieutenant Co. E,
A. G. BROOKS, Lieutenant Co. F,
S. J. JORDAN, Lieutenant Co. H,
WM. T. MULLALLY, Captain Co. I,
R. S. ANDERSON, Captain Co. G."

"HEAD-QUARTERS THOMAS BRIGADE, {
March 18, 1865. }

"Respectfully Forwarded: Approved.

"EDWARD L. THOMAS, Brig. Gen."

"HEAD-QUARTERS WILCOX'S LIGHT DIVISION, {
March 21, 1865. }

"Respectfully Forwarded: Believing that the method proposed within is the best that can be adopted.

"C. M. WILCOX, Maj. Gen."

"HEAD-QUARTERS, THIRD CORPS, A. N. VA. {
March 22, 1865. }

"Respectfully Forwarded: The plan proposed is commended as worthy of attention and consideration.

"H. HETH, Maj. Gen. Comd'g."

"Respectfully Returned: The Commanding General commends the spirit displayed by this regiment. The plan of organization which has been regarded most favorably, proposed a consolidation of the regiments of ten companies as they now exist, into six companies, and that the regimental organization be maintained by attaching to the six thus formed four companies of colored troops. Each regiment would then preserve its identity.

"Perhaps this plan would be equally as acceptable to the 49th Georgia Regiment.

"By command of Gen. Lee.

"W. H. TAYLOR, A. A. G.

"March 27, 1865."

This novel and earnest document is an historic curiosity, a brave, practical, patriotic paper, that will have a vital interest in all annals of this great war. Gen. W. S. Walker, now living in Atlanta, urged the policy in 1863 and 1864, and made the prediction, that the measure would be proposed when it would be too late.

CHAPTER XXX.

SHERMAN'S PEACE EFFORT AND FAMOUS MARCH TO THE SEA.

The First Attempt at Peace.—Gen. Sherman its Author.—Georgia Keeps up her Momentous Play in the War.—Gov. Brown and Alex. Stephens.—Mr. Lincoln Looks with Interest.—Joshua Hill.—Judge A. R. Wright.—Hood's Fatal Tennessee Programme.—Sherman's Peril Ended by Confederate Folly.—Georgia Gashed.—"Smashing Things."—Atlanta Destroyed.—Milledgeville Captured.—Gov. Brown and Gen. Ira Foster.—The Convict Soldiers.—The Cabbage Calumny upon Gov. Brown Corrected.—The Cadets.—Battle of Griswoldville by Joe Brown's Militia.—A Dreary Narrative of Ruin.—Union Sentiment Stamped Out.—Fort McAllister Taken.—Hardee Leaves Savannah.—The March to the Sea Ended.—The Death Blow of the Southern Cause.—Georgians out of the State.—Olustee and Alfred H. Colquitt.—Gen. J. B. Gordon.—The Georgia Militia at Honey Hill.—Gen. Ranse Wright.—Two Governors.—The Legislature.—Gov. Brown's Message.—State Property.—Our Indigents.—Our War Millionaires.—Fabulous Prices.—Bewildering Aspects of the Pending Downfall.

IMMEDIATELY after the capture and occupation of Atlanta, Sherman conceived and attempted the execution of an idea, that if he could have carried into operation, would have ended the war much earlier. When the history of our great civil war comes to be written, one of the most interesting chapters will be the account of the episode here referred to, the first effort that was made at peace. Gen. Sherman, as has been stated, was the author of this attempt, and Georgia was both the theater and object of his endeavors. The event was a continuation of Georgia's momentous play in the war. She appeared fated to figure in every possible rôle.

The facts of this important peace movement show it to have been subtly conceived, important in its results of possibility to the conflict and eagerly watched by Mr. Lincoln, the President of the United States. Gen. Sherman, in his *Memoirs of the War*, makes brief allusion to this peace matter, but he gives such meager details that the interest and curiosity of the reader are only whetted for fuller information. By an accident the writer's attention was called to it, and by direct application to all the parties connected with it, including Gen. Sherman, Hon. A. H. Stephens, Vice-President of the Confederacy, Gov. Joseph

E. Brown, Hon. Joshua Hill, Judge Augustus R. Wright and Mr. William King, the full particulars of this striking and valuable episode of the great war were obtained.

Gen. Sherman knew that Mr. Stephens, the Vice-President of the Confederacy, had so differed from Mr. Davis and his advisers as to leading measures of his administration, that he took no share in the direction of affairs, and seemed to be in no sort of active connection with the ruling powers. He opposed conscription and favored the government buying up the cotton crop and sending it to Europe to be used as a basis of supply of munitions and recruits. Gen. Sherman also knew of Gov. Brown's controversies with the Confederate authorities, that had culminated in what seemed an embittered antagonism. These powerful public men were known to represent a large and popular sentiment in Georgia.

In this state of things, the main cause discouraged, the Confederacy riven into fragments, Georgia half overrun, and her leaders—many of them—believed to be disaffected, and with the prospect of a complete devastation of the Commonwealth imminent, Gen. Sherman, with that prolific fertility of resource and ready discernment of opportunity that belonged to the man, seized the occasion to strike what, if it had been successful, would have proved a powerful blow for the Union. It was practically the attempt to eliminate the powerful state of Georgia with her large forces from the opposition, and at one stroke to have bloodlessly disintegrated the Confederate cause. If Georgia, through her Governor and his coadjutor in the work, the second officer of the Confederacy, had withdrawn Georgia from the war, or even induced her to take the resolute initiative in peace, the great struggle would have been practically ended.

Gen. Sherman, in his dispatch to President Lincoln, states his high hope in the matter, and the tremendous importance that he attached to the movement when he says: "I am fully conscious of the delicate nature of such assertions, but it would be a *magnificent stroke of policy* if we could, without surrendering principle or a foot of ground, arouse the latent enmity of Georgia against Davis." And Mr. Lincoln, in his response, said: "I feel great interest in the subjects of your dispatch." And when later Mr. Davis made his visit to Macon and Hood's army, Mr. Lincoln believed, as he telegraphed to Gen. Sherman, that the object of Mr. Davis' visit was to see Mr. Stephens and Gov. Brown, to stop the peace mischief that Gen. Sherman had inaugurated with those two dangerous gentlemen. Gen. Sherman's idea was to appeal

to Georgia's safety from further war ravage and work it through officials supposed to be hostile to the Confederate administration. No less than three messengers were sent by Gen. Sherman. Mr. William King was his ambassador to both Gov. Brown and Mr. Stephens. Judge A. R. Wright, of Rome, was sent to Washington, to talk with President Lincoln, and by him entrusted with messages for Mr. Davis. Hon. Joshua Hill, of Madison, Ga., was sent as messenger to Gov. Brown. Mr. King was a citizen in private life, an elderly gentleman of high character, old family, fine intelligence and unquestionable patriotism. The other gentlemen have been spoken of in this volume.

The fundamental idea of Gen. Sherman was separate State action of Georgia; and herein was its intrinsic weakness. As much as Mr. Stephens condemned the policy of the administration of his Executive—Mr. Davis—and as antagonistic as Gov. Brown felt to certain leading measures of the Confederate authorities, neither of them was capable, in any stress of disaster, and under any possession of State influence, of deserting the fortunes of the Confederacy and leaving the other members of the compact to bear the calamities of failure. While it was simply an impossibility that the soldiers or people of Georgia would have been willing to purchase exemption from the common peril and universal ruin by abandonment of the cause, thus securing safety by dishonor. And both Gov. Brown and Mr. Stephens, from their very supposed attitude of disaffection and hostility to Mr. Davis, were necessarily the more careful in their conduct that no possible suspicion of bad faith should attach to them.

Both Mr. Stephens and Gov. Brown declined to accept Gen. Sherman's invitation to visit him on this peace mission. Mr. Stephens considered that neither he nor Gen. Sherman had the proper authority to represent and bind their respective governments, though if Gen. Sherman should think that there was any prospect that he and Mr. Stephens could agree upon terms of adjustment to be submitted to the governments, he would, with the consent of the Confederate authorities, meet him and enter upon the task of restoring peace. This reply of Mr. Stephens dissipated the idea that he would act in the slightest degree independently of Mr. Davis and take part in a separate negotiation by the State.

Gen. Sherman, in his dispatch to President Lincoln, discloses the agency he hoped Mr. Stephens would play in this shrewdly conceived peace project, in these significant words: "The people do not hesitate to say, that Mr. Stephens was and is a Union man at heart; and they say that Davis will not trust him, or let him have share in his govern-

ment." Mr. Stephens, by his reply, completely dropped himself out of the project. Gov. Brown was unwilling to enter into any negotiations involving separate State action. His dismissing the State militia for a time to go home and harvest the crops, and his calling the Legislature together to consider the critical state of affairs, impressed Gen. Sherman with the belief that Gov. Brown was leaning to the peace idea; that the temporary disbandment of the State troops was an initiatory movement in the matter, while he wanted the Legislature to share the responsibility. Mr. Davis made his visit to Georgia at that time, and so strongly had the peace plan of Gen. Sherman, by securing Georgia's disaffection through Mr. Stephens and Gov. Brown, seized and impressed Mr. Lincoln, that the President conceived and telegraphed Gen. Sherman: "I judge that Brown and Stephens are the objects of his (Davis') visit."

But Gen. Sherman and Mr. Lincoln were both mistaken. They misconceived Gov. Brown, who never for a moment entertained the idea of withdrawing Georgia from her Confederate alliance. It is due to him to say this, and it is also due to say that the people of Georgia would not have entertained such a proposition. They were committed to the Confederacy, and meant to rise or fall with it. There is no ground for believing, as Mr. Lincoln imagined, that Mr. Davis visited Georgia at that time to look after Mr. Stephens and Gov. Brown, and stop their supposed peace mischief. His mission was to confer as to the proper direction to be given to Hood's army in this critical juncture.

The peace mission was so important a one that Gov. Brown, at the time, made a note of the whole matter so far as he was concerned, which was published for the information of the people. His action involved an exceedingly able presentation of the question, showing that he gave the matter profound and conscientious reflection. That Georgia, in her sovereign capacity, had the right to withdraw from the Southern Confederate compact, not through her Executive, but through a convention of her people, he had no doubt. But while she possessed this power, she would never violate her faith pledged to her Confederate allies, never shrink from the suffering that fell to her lot, never make separate terms to save herself, and "whatever may be the opinion of her people as to the injustice done her by the Confederate administration, she will triumph with her Confederate sisters, or she will sink with them in one common ruin." Gov. Brown argued, that Gen. Sherman and he had no power or right to represent the government of the United States and the government of the Confederate States, or in any way bind them.

Hon. Joshua Hill, in his interesting and graphic account, gives

some valuable information, showing Gen. Sherman's desires, and also contributes convincing testimony as to the stubborn fidelity of the people to the cause. He made a strenuous effort to influence the Legislature to take some peace action, but could get no encouragement, and finally desisted. Gen. Sherman, however, began to doubt the possibility of success on his original idea of detaching Georgia from the Confederacy, and he widened his project to include broader negotiations and larger agencies. Here comes in Judge Wright, who was sent by Gen. Sherman to see President Lincoln, and, learning his pacific temper and views, convey them to Mr. Davis.

The version furnished by Judge Wright is a most important contribution to this peace narrative. He spent two weeks in Washington, conferring daily with President Lincoln and his Cabinet, and finally brought back to Mr. Davis messages of his willingness to enter upon peace negotiations. The report of Mr. Lincoln's views is wholly new, and is of incalculable value historically. Some of his statements will be a revelation, and must do great honor to his memory. Among the remarkable statements were, that "the South was a part of his country, and as dear to him as the North. He had never had an idea of interfering with her rights." Also, that "he then had his proclamation of amnesty written for the whole South, from Mr. Davis down to the humblest citizen, and though a part of his Cabinet was opposed to it, the day we laid down our arms it would be published, and the South restored to her rights in the Union as far as was in his power." Also, that he was favorable to a gradual emancipation of the blacks in twenty-one years. Mr. Lincoln's message to Mr. Davis was a very earnest one. Judge Wright says that Mr. Lincoln "extracted from him a solemn promise that his friendly sentiments and his earnest desires for peace on the basis of the rights of the States should be truly, fully and earnestly impressed upon Mr. Davis."

Judge Wright never had the chance of seeing Mr. Davis until after the close of the war, and the message was, therefore, not delivered. Judge Wright, however, told Mr. Lincoln that the peace mission would be hopeless. There is little doubt, in the light of subsequent events, that Mr. Davis would have refused to act on these messages. His unquenchable faith in the ultimate success of the Confederate cause, and his unbending resolution to make no compromise, would have been an insuperable barrier to any peace based upon the only idea upon which Mr. Lincoln was willing to close the war, viz.: the submission of the South to the Union.

Remembering that his peace effort was made in September, 1864, and that the celebrated Hampton Roads conference between Mr. Lincoln and Mr. Seward, of the North, and Mr. Stephens, Mr. Hunter and Judge Campbell, of the South, took place in February, 1865, five months after, it will be seen that Gen. Sherman's attempt at peace was the first that was made. The South, in 1864, was in a much better condition to negotiate peace than in 1865, and could have gained better terms. Mr. Stephens was engaged in both attempts. In his book, "The War between the States," he gives a full account of the Hampton Roads conference, and it is a matter of interesting significance that it is shown very clearly that Mr. Lincoln was governed by the same ideas of policy in both. The two peace efforts constitute a valuable and striking episode of the great struggle, and will form an important and suggestive chapter in the history of our civil war.

The matter at the time created a good deal of excitement in the public mind in Georgia. There was a varied comment upon it. Some claimed that it was the duty of Gov. Brown and Mr. Stephens to accept General Sherman's invitation, and make an effort to settle our troubles by negotiation. Others, though not many, in their flaming zeal, contended that it was the duty of the Governor to seize General Sherman's messenger and order him hung as a traitor. The prevailing opinion was that nothing would come of it. But the incident was another link in the chain of Georgia's governing influence in the great struggle, an influence that covered both the war-like and peaceful features of the revolution.

The final strategy of this ghastly Georgia campaign must look, far off in the cool, impartial future, like a terrible drama of tragic harlequinade. Hood did the very folly that Sherman would have prayed for him to do, had he been a pious man. As it was, the wily Federal said, "If Hood will go to Tennessee, I will give him rations to go with." Mr. Davis had most unwisely blazoned in his speeches to the dejected public this Tennessee programme. And as it reached Sherman he had thus spoken. With Forrest banging and gashing at his long line of communication, hundreds of miles, and a stout, solid, fierce army before him, he would have had a tough time. His fiat of exile for the city of Atlanta evidenced his sense of danger. To have stayed in Atlanta was unspeakably perilous. To have gone back would have yielded the good of his victory. To go forward was to cut loose from his base into the atmosphere like an anchorless ship. Sherman was deeply anxious. As he took Atlanta he made with a part of his force

a little tentative dash at Hood's entrenched line at Lovejoys, and recoiled, shivering. In this perplexing hour, Hood gayly bid adieu to Atlanta, and coquetting up the state road, capturing squads at Big Shanty, Acworth and Dalton, and destroying a respectable amount of railway track, skipped into Alabama, and thence into Tennessee. Sherman sent off Thomas to care for Hood, took a little scout himself in that direction, satisfied himself that Hood had really gone blundering, and stripping himself to about 60,000 men, he started for the Atlantic Ocean.

He began his easy but destructive march on the 15th day of November, 1864. Spreading out his columns to a width of about forty miles, foraging his army as he went along, tearing up every mile of railroad track, gutting villages, cleaning up provisions, pillaging houses, destroying furniture, gathering hordes of negroes to be dropped, the jaunty, massive column left a blistering devastation for three hundred miles upon the fair bosom of our noble state. In the writer's temporary home in Sandersville a piano was butchered to fragments, books and pictures destroyed, and for days the female inmates of the household lived upon corn gathered from where the horses of the Federal troopers had been fed. In his dispatches to Gen. Grant about this movement Sherman foreshadowed the desolation in such expressions as "utter destruction of roads, houses and people," "make Georgia howl," "make a wreck of the road and of the country," "smashing things to the sea," "make the interior of Georgia feel the weight of war," and "ruin Georgia."

There was no opposition to speak of. The strange spectacle had been seen of two great armies in deadly tug, deliberately leaving each other, and marching in opposite directions to conquer the fight. A division of Wheeler's cavalry pegged away on the advancing column. At Macon, Gen. Cobb went out and rattled with a division of the Georgia militia at the huge serpent. At Griswoldville, ten miles below Macon, there was a bloody little fight between Sherman and our Georgia militia, in which these troops fought with the gallantry and skill of veterans, inflicting heavy loss and suffering severe punishment with steady nerve. In Burke county there was some sprightly but ineffectual brushing. But Sherman went on flipping off these attacks with unconcern. Our little force kept the thing lively in proportion to numbers. Sherman reports 764 men lost on the march, and 1,338 captures of Confederates.

The incidents of this march were dramatic in their destructiveness.

Atlanta was fired, and Sherman marched out amid the crimson flames of the city and a volley of exploding ammunition that sounded like a desperate battle, his men singing, "John Brown's soul goes marching on." Of about 5,000 houses all were destroyed except about 400. Eleventwelfths of the place, shops, depots, mills, dwellings, stores, were burned. A few stores on Alabama street were left. The residences between Lloyd and Washington streets were left, and most of the churches, thanks to Father O'Riley of the Catholic church. Three thousand carcasses of animals lay in the streets. The very dead were taken from their vaults and the coffins stripped of silver tipplings. Gen. Sherman had his headquarters one night on Howell Cobb's plantation, and on learning the fact ordered the soldiers to spare nothing.

On the 23d day of November, 1864, the legislature of Georgia, being in session, Gov. Brown received a telegram during the dinner hour that General Sherman had left Atlanta the day before and was on the march through the country for Savannah. As soon as this information was spread through the town, the people became greatly excited, and the members of the legislature, who had adjourned for dinner at the time, participated in the excitement, and began making preparation for a rapid transit from the Capital, as it was not known how soon the cavalry, who were supposed to be a good way in advance of the army, might reach Milledgeville. The bills and other matters before the General Assembly at the time it adjourned for dinner, were left lying on the desks and no one returned to look after them. Fabulous prices were paid for conveyances of different sorts; and the members during that afternoon had nearly all left the Capital on their way home with the best means of conveyance at their command, taking such routes as in their opinion could not be interfered with by the invading army. Some took the railroad trains; others got carriages, buggies, wagons or whatever else came in their way. This left the city almost destitute of vehicles for transportation.

Soon after Gen. Sherman's movements were known, Gov. Brown gave orders to Gen. Ira R. Foster, the prompt and efficient Quartermaster-General of Georgia, to secure the removal of all the most valuable perishable property of the State then at the Capital, consisting of books of record in the State House, the more valuable furniture there, the furniture from the executive mansion and the property of the most value in the penitentiary, arsenal, armory, and in the Quartermaster and Commissary departments. Herculean efforts were made by the Quartermaster-General to procure transportation and convey the public property

to places of safety as rapidly as possible ; and no one was better qualified for the task than General Foster, as he had ability, promptness, decision and dispatch in such matters, that were very remarkable. Upon consultation with the Governor it was concluded that the more valuable books of the library and other such property should be carried to the lunatic asylum and there stored. But as the asylum was located some three miles from the city, with the limited transportation at command, it was impossible to carry there within the short time allowed all the other public property. It was known of course that General Sherman would not burn the lunatic asylum, and it was supposed that State property stored in it which could in no way be used for forwarding the purposes of the war would be safe. On further consultation it was concluded that it would be best to haul the bulk of the public property of the character above-mentioned, and all the more valuable property of the State in the city to the railroad depot and try to get it to Macon, before the railroad should be cut, and shipped to south-west Georgia, as it was believed that neither the cavalry of the enemy nor the infantry would likely traverse that country. Part of a train of cars was detained at Milledgeville for that purpose, and other cars in reach were ordered to be sent there promptly. The property was then hauled rapidly to the railroad and loaded on the cars. But as very few wagons could be obtained, and there was great consternation in the city, it soon became next to impossible to procure labor.

Here the Quartermaster-General again consulted with the Governor, who was doing all in his power to aid in the removal, and the Governor informed him that he had determined to pardon the convicts in the penitentiary, and put them under command of the Quartermaster-General for the time, to aid in removing the property of the State to a place of safety, and that he would pardon each who would enlist in the State service, and thus try to turn them to the advantage of our cause instead of leaving them for Sherman to use against us. As we were making guns in the penitentiary, it was expected that it would be burned; and if the convicts were in the walls when Gen. Sherman reached there they would either be turned loose for indiscriminate plunder or enlisted in the Federal army. To avoid this Gov. Brown determined promptly on the policy of enlisting them in the State service for the benefit of the Confederacy. He went immediately to the penitentiary, had the convicts drawn up in a line, delivered a short address to them, appealing to their patriotic pride, and offered pardon to each one who would aid in the removal of the State property, and then enlist for the defense of the Con-

federacy. They responded almost unanimously. There were a few lifetime men in for murder, who were not included in the offer, and they were sent through the country under guard to a point where they could be shipped on the railroad to South-west Georgia, where they were kept till after Sherman passed through and were then brought back and confined in Milledgeville. But the great body of the convicts were formed into a military company under the notorious Dr. Roberts, who was a very intelligent man, and who promptly volunteered, and in that capacity they did valuable service in aiding to remove the State property, and loading it upon the train. As soon as this service was done, a suit of soldier's clothing and a gun were furnished to each, and Captain Roberts was ordered to report to Gen. Wayne, who had command of the Georgia cadets, from the Military Institute, at Marietta, then in Milledgeville, and a small battalion of other militia. The company was accepted by Gen. Wayne, and carried by him to Savannah, on his retreat in advance of the Federal army, and they were used in annoying it wherever Gen. Wayne saw an opportunity to strike a blow. A portion of the convicts deserted and left, but a large majority of them, including Capt. Roberts, remained at their post doing duty faithfully during the campaign; so that the discharge became honorable.

As already stated, the members of the legislature generally left the city on the afternoon of the 23rd day of November, 1864. Gov. Brown and family, and Gen. Foster, and Gen. Wayne, and some of the other heads of the departments remained in the city until the next afternoon. All the more valuable property of the State had been secured either in the asylum or sent to safe places or loaded upon the cars ready to be removed to South-west Georgia. In the State House the old files of documents and letters for the last half a century or more, which were not regarded very valuable and could not be assorted and taken care of in the limited time, were left in their respective places of deposit. After Gen. Sherman had passed through Milledgeville, and the officers of the State were permitted to return, they found these papers scattered all over the floor of the State House; and as reported by the citizens, large quantities had been used by the soldiers in kindling their fires. In this way many of the old documents, and many of the papers that were filed were destroyed or lost, though they were generally of a character not deemed to be very valuable; and the time, and means of transportation were not sufficient to enable the authorities to care better for them.

The furniture in the Executive Mansion was the last thing attended to. During the afternoon the more valuable and portable portion of it

was removed as rapidly as possible to the railroad depot and placed on the trains. The scene was a busy and an exciting one. During the twenty-four hours the Governor and the Quartermaster-General remained in the discharge of their duty, in taking care of the public property; their efforts were untiring. A letter addressed by Gen. Foster to a friend in this city at a recent date draws the following picture of the scene:

"I have oftentimes thought of the scenes through which we passed in getting ready to leave Milledgeville on Sherman's descent on that ancient but memorable city of hills. In this drama, I see a man serving his fourth term as Governor of the Great Empire State of the South, after giving orders to his Quartermaster-General on the near approach of the enemy, and putting him in charge of the public property with direction to see that it was taken care of and removed, reversing the order of things by laying hold with his own hands and working both day and night under the direction of his subordinate to secure a fulfillment of his general orders. And I see by his side a delicate but anxious wife, unceasingly laboring to accomplish the same end. Notwithstanding this, it has been printed in a book and published in newspapers, and reiterated by many misguided tongues, that Gov. Brown, while Sherman's army was descending on Milledgeville, carried off his own property, including cows and cabbage, and left the State property behind unprotected. I was in command of the transportation of the property at the time, and I know whereof I speak and I know these statements are unfounded. *I know they are untrue.* I ought to know more about the taking care and the protection and the removal of the State property at Milledgeville than any one else, as I was there in person and had immediate supervision, with the entire control of the whole thing under my own command.

"It is true that some of the old papers were left in the State House, which, if I had had further time, would have all been removed. But the fates of war denied me the desired privilege. The removal of the furniture from the Executive Mansion was the last work. In looking around the mansion to see what ought to be taken along, I discovered in the garden a fine lot of coleworts, and I directed old Aunt Celia, the good old colored cook, without the knowledge or presence of her master or mistress, to cut down the coleworts and bring them near where the wagons were being loaded. I intended to take away the last one of them, as they would be lost where they were, and I had sufficient room in the car to carry them. And I knew the Governor's family would need some, and my own family, then at Dawson, in South-west Georgia, as Refugees driven from their home in Atlanta before the fierce march of Sherman, would like to have part of them, as they were in a strange country and had no time to raise vegetables, and were much pressed for food of that character.

"I had also, at the Exile camp, near Dawson, seven hundred persons, composed of the widows, wives and children of Confederate soldiers, aged men and maimed and discharged soldiers, who had been expelled from Atlanta by Gen. Sherman, homeless and without food. Under Gov. Brown's orders they had been picked up from the line of railroad from Atlanta to Macon, and shipped to Dawson, where I had erected nearly one hundred houses in which they were sheltered and fed at the expense of the State, under the immediate supervision of Capt. Milton A. Candler, who did his whole duty in their behalf. To these homeless sufferers I intended to give most of the coleworts; but in

this I was disappointed. As I was having the last load of furniture at the Executive Mansion placed on the wagons, a few moments after I had given the order to Aunt Celia to cut the cabbage, Gov. Brown received information by telegraph, that Sherman's cavalry were making rapid advances towards the Central railroad, between Milledgeville and Macon. This message admonished us that we should be up and off, else we might find ourselves prisoners of war. So I had only a few cabbage which were cut and carried to the gate by Aunt Celia, thrown on top of the load. Teams were hurried to the train, wagons quickly unloaded on cars, leaving, for want of time to save them, almost the entire lot of fine cabbage standing in the garden. Steam being up, orders were given the engineer to sound his whistle and press for Macon with all possible speed. It is presumable we probably made the trip quicker than it was ever done before by any engine on that particular road. At Gordon we stopped a moment to bid farewell to Gen. Wayne and his staff, who had transportation to carry them down the Central railroad, with orders to do all in their power to protect the railroad bridge. The State Cadets, a noble band of boys, was under Wayne's command.

"A very short time only was spent at Gordon, when the train conveying the Governor and family, the Quartermaster-General and his assistants, and a large amount of state property and furniture was on its way under a full head of steam for Macon, where we arrived just before dark. And on reaching Macon a telegram was handed Gov. Brown, stating that the Federal cavalry had just cut the road at Griswoldville, the next station below. The advanced cavalry must have been almost in sight of Griswoldville when the train passed.

"We remained in the cars that night at Macon. Next morning I went down to South-west Georgia with the train; and as Sherman's infantry had not reached Macon, and it was understood they would not before that evening, Gov. Brown ran down with us as far as Montezuma, where his family were set off by the side of the road, and left to make their way to his plantation, thirty miles from that point in Dooly county. He took an engine and returned upon it rapidly, that evening, to Macon, and reached there, as I am informed, just as Sherman's column, passing by, fired upon the militia. The engagement amounted to very little. The militia were entrenched, and it was not Sherman's policy to attack localities on the lines of his march. His desire was to get through to the sea with as little delay and as little difficulty as possible.

"While we were switched off on a siding at Montezuma, a hurried dinner was prepared, and while eating dinner aboard the cars I said to Mrs. Brown, she ought to have had for dinner some of our Milledgeville greens. This was the first time I had named to Gov. Brown or to his wife that I had cut and put on the train any of the coleworts from the garden in Milledgeville. I doubt that any member of the family knew up to that time that a small number of the coleworts which I had secured were on the train, as the family had left the mansion for the train before the last wagon left that carried the coleworts out and put them upon the cars. Aunt Celia knew that she had cut and loaded a small lot in the yard; but as she had gone with the family into the train, she did not know that they had been transported to the train.

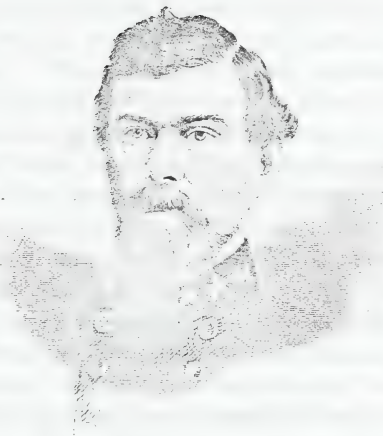
"I have been thus particular in giving the whole facts, as there was much merriment made over the cabbage story at the time, and much injustice done Gov. Brown, who was in no way responsible for the removal of the few that we carried, and knew nothing whatever about it until after it was done."

At Gordon the following incident occurred. Gov. Brown's eldest

son, Julius, a lad sixteen years of age, was a member of the cadets, and got aboard to tell the family good-by. The Governor said to him that he must remain at Macon with the troops; that there was no one to go with his mother and little brothers and sisters to South-west Georgia, and he had better go with them. The youth said he would obey, but he would rather die than to do it, as he was unwilling, under any circumstances, to leave the cadets, or fail to share with them the common danger. The governor told him to go and do his whole duty; some provision would be made for his mother and the children. He went forward with the cadets, and they were placed by Gen. Wayne to guard the Oconee bridge a day or two after, on the advance of the army, where they had a sharp engagement with the enemy; and one of the cadets was shot down by young Brown's side. They drifted down before Sherman to Savannah, and there reported to Gen. Hardee, and were carried across into Carolina. And this gallant little band of youths did good service as soldiers during the campaign. They were finally returned to Augusta, where they arrived almost naked and half starved. Major G. C. Connor, in charge of some state stores there, furnished them with a suit of clothes apiece; and after their arrival at Augusta they had the necessary rations. Among them were many of the best youths of the state, belonging to some of the most respectable families. They were a gallant and faithful little band.

Gen. Beauregard, from Corinth, Ben Hill and our Confederate Congressmen in Richmond, sent dispatches to the people to destroy the enemy, to be firm, to fly to arms, to burn everything they could not remove, which the Federal officers read in papers, captured at Milledgeville and ridiculed unmercifully. In the old State house the Federals held a mock legislature, and in a grim spirit of fun repealed the ordinance of secession. Several well authenticated cases of rape occurred. The negroes gave a cordial greeting to the Federals, and many accompanied them to Savannah. Many colored women tramped after the soldiers.

It is a dreary narrative to chronicle the ruin wrought by this "March to the Sea" in the proud old state. It would take volumes to record the details. There had been in Georgia a growing drift in public opinion to the idea of reconstruction of the Union. But the march of Sherman killed it. Men standing amid the ruins of their dear homes, with starvation for their loved ones staring upon them, and bitter memories of insult and injury rankling in their bosoms, had no gentle feeling towards the foe that had done the ruin. The work of devastation had but one redeeming feature,—it was, while complete, very brief.



Lt. GEN. HARDEE.

On the 10th of December, 1864, Sherman reached and invested Savannah. On the 13th, Gen. Hazen with his division, carried Fort McAlister after a gallant resistance by Major Geo. W. Anderson and his heroic garrison of 250 men. Gen. Wm. J. Hardee had about 10,000 troops in Savannah manning the fortifications. On the night of the 20th of December, Gen. Hardee, finding that he could not hold the city, quietly withdrew into Carolina, having on the 17th refused to surrender. Gen. Sherman took possession of the beautiful Georgia City by the Sea, and Sherman's March was an accomplished historical fact. The Northern exultation over this achievement was delirious, and Congress, voicing the public delight, passed warm resolutions of thanks to Gen. Sherman and his army. Concurrently with this substantial victory came the news of Hood's hopeless and irretrievable defeats at Franklin and Nashville, and the practical annihilation of his army that could not be replaced. Surely there never was a swifter dissolution of a noble and indispensable force under a purposeless lead of incapacity.

These tremendous movements really ended the war. The surrenders of Lee and Johnston did not come until April, 1865, several months later, but it was a hopeless struggle from this time. But the end was approaching. The Georgia campaign gave the death-blow to the cause for which so much blood had been shed, so much treasure expended and so much splendid heroism wasted. It is remarkable, however, and evinces the stern purpose of the Southern people that during these last, hopeless, bloody months of the struggle they were more determined than ever to succeed, and with the cause palpably crumbling before their eyes, they persisted and fought to the last. The various State Legislatures passed resolutions against reconstruction, and the State Executives made messages full of ring and defiance.

During this year, 1864, the Georgia troops out of Georgia had maintained their wonted renown. Gen. Alfred H. Colquitt had earned the splendid title of the "Hero of Olustee" in the famous little battle in Florida, which at one stroke had ended Federal operations there. Upon every battle field in Virginia our Georgians had illustrated the State. Gen. John B. Gordon, according to a correspondent of the *London Times*, had become the rising military genius of our armies. In South Carolina, at Honey Hill, Gen. Gustavus W. Smith, at the close of the year, with his division of Georgia militia, had defeated the Federals in a heavy engagement, Gov. Brown having instructed him to carry the Georgia militia into Carolina if the good of the cause required it. Gen. Dick Taylor, in his book called "Destruction," makes statements in ref-

erence to the militia, on this point, that are wholly unauthorized by the facts. We had lost many fine officers, Gen. George Doles, Col. Ed. Willis, Col. John M. Millen, Col. J. H. Lamar, Lieut. Col. Van Valkenburg and others.

The occupation of Atlanta was immediately resumed. The *Atlanta Intelligencer* issued a little sheet amid the ruins, on the 10th of December, 1864. It was printed on one side only, and was about twelve by eighteen inches in size. Gen. Howell Cobb, accompanied by Col. I. W. Avery, rode up there from Macon, picking a way carefully through the débris. Col. L. J. Glenn was made commandant of the post as early as November 26th. The Atlanta exiles had been carried and quartered near Dawson in Terrell county, at "Exile Camp." Some 300 were cared for there at public expense.

A novel collision of civil authority occurred, that constitutes a very interesting incident of that chaotic time. On the 21st of November Gen. Ranse Wright, who had been assigned to command in Augusta, and who was president of the Georgia Senate, issued an order at Augusta, that as Gov. Brown was cut off from communication with the portion of the State east of the Oconee river by the interposition of an hostile army, it became his duty, as president of the Senate and *ex-officio* Governor, during the disability of the Governor, to assume command of all Georgia out of the jurisdiction of the Governor. He revoked all orders of Gov. Brown, and directed all militia east of the Oconee to report to him. Gen. Wright wrote to Gov. Brown explaining his action, and asking if he approved of it. Gov. Brown replied stating that Gen. Wright's course was unnecessary. The press made some exceedingly piquant commentary upon the matter at the time, though Gen. Wright's conduct was highly patriotic, but it was speedily forgotten in the rush of events and the tragic drift of the revolution.

The General Assembly met on the 3rd of November, 1864. Gov. Brown's message was a frank criticism of the campaign, and a candid statement of the situation, but it was also a bold, stirring exhortation to a continuance of the struggle. While the fight lasted, Gov. Brown aided and pressed its unyielding prosecution. In the darkest hour he urged the conflict, and flung the resources of the state, both men and money, into the affray without stint. The Northern Democratic party had advised a convention of the sovereign states, to negotiate an adjustment of the contest. Gov. Brown favored such a movement, the action of such a convention having to be submitted to the states for ratification or rejection. He argued the idea masterfully, but at the same time

he urged that every arms-bearing man in the South should go to the front to sustain our armies. The war had reached the point where statesmanship might aid arms in the settlement of the great issue. Looking at the situation then, Gov. Brown's strong advocacy of this plan was a timely piece of judgment, and could it have been carried out, would have saved a failing cause:

The State's finances exhibited strikingly the effect of the war. The property of the State had been inflated from \$840,041,127 to \$1,612,592,806, the inflation evidencing the ruinous depreciation of Confederate currency. Polls had fallen from 52,764 to 39,863, demonstrating the ravages of the war upon our men. The State's expenditures for 1864 had run to \$13,288,435. The public debt had grown to the enormous sum of \$23,980,692. But a most ominous fact was that bank capital had fallen from \$70,713,048 to \$44,816,979, or nearly one-half. The number of indigent people, families of soldiers, had swelled to the appalling size of 117,889, or the full proportion of the entire voting population of the State at the beginning of the war. Could the ravages of this terrific contest be more strikingly shown than by this awful statistic of wholesale impoverishment? Chatham county had 3,058 indigents, Cherokee county 2,598, Gordon county 2,390, Gilmer 2,106, Paulding 1,875, Gwinnett 2,390. These are frightful figures, and must be appreciated to understand the crushing tale of misfortune and misery that they reveal. The shocking aggregate of want and distress cannot be conveyed in its full practical meaning.

There is another side of this economic question, equally as interesting and suggestive as these dreary numbers of personal indigence and family bereavement. There had been such speculation by the non-combatants that there was a wonderful aristocracy of sudden wealth. Of 91,505 tax-payers fifteen were worth over half a million; thirty-six over \$300,000; 131 over \$200,000; 829 over \$100,000; 2,628 over \$50,000; 4,047 over \$30,000; 4,780 over \$20,000; 10,648 over \$10,000; 13,215 over \$5,000; 10,438 over \$3,000; 8,742 over \$2,000; 13,681 over \$1,000; and 22,311 were worth \$1,000 and under. This was estimated according to Confederate values.

There is a strange and dramatic teaching in these figures—a lesson of pathetic and momentous import. While the brave soldiers were striking at the enemy in the field, and their families were practical paupers at home living upon the bounty of the State, there was behind the protecting agis of a craven non-combatancy thousands of enterprising citizens filling their coffers, and gorging their purses with the profits of

some sort of greedy trading. Think of fifteen millionaires in our war-smit-ten commonwealth in that destructive day, and a thousand men worth over \$100,000 each. Georgia, in her palmiest prosperity of peace, never made such a prodigal showing of rich citizens. There was something dreadfully wrong. It was a cruel incongruity, and it sapped the cause with an unseen but immeasurable potency.

Not less interesting is the range of prices for all articles of trade. It took, on the 31st day of December, 1864, forty-nine dollars in Confederate money to buy one dollar in gold. And the private soldier was receiving his \$11 a month for his bloody service. A month's pay would buy him a pound of meat that he could eat in two days. Hats were worth several hundred dollars; a horse several thousand; a bushel of wheat from \$40 to \$50; a drink of poor whiskey, \$5, and good, \$10. The government churned out its money prodigally, but the soldiers had little chance at it. There was little to buy, and what there was brought fabulous sums. The commercial aspects and features of that Confederate period were among its most romantic characteristics.

CHAPTER XXXI.

THE CLOSING THROES OF THE REVOLUTION AND THE TRAGIC END.

The Destruction at Milledgeville.—The Legislature in Macon.—The Last Session under the Confederacy.—Enlisting the Slaves for Soldiers.—Gov. Brown Against it.—Gov. Brown urges a Southern Convention.—An Eloquent Message.—War Pluck.—Toombs, Cobb, Hill and Stiles make war speeches.—Attacks upon Brown.—L. J. Alred arrested for Treason.—Judge Lochrane releases Him.—Gen. W. T. Wofford.—North Georgia a Ruin.—Federal Rule in Savannah.—Submission Meeting there.—Salt for Carolina.—The Hampton Roads Conference.—Mr. Stephens.—Georgia Figures Foremost to the Last.—Gordon, the Companion Figure with Lee, in the Last Throes.—Surrender.—Davis and His Cabinet Fly to Georgia, where The Confederate Administration Dissolves.—Last Act of the Confederacy.—Romantic Incidents.—The Gold Bullion.—Gen. Toombs.—Major R. J. Moses.—Davis Captured in Georgia.—The Stupendous Losses of Georgia.—Gov. Brown.

THE legislature of Georgia had adjourned upon the 18th day of November, 1864, upon the approach of Sherman's army. The occupation of Milledgeville by the Federal force, while it did not witness the destruction of the state buildings, yet it was marked as has been stated by great and irreparable injury to our public records, the floors of the capitol and the grounds around being strewed with the débris of valuable papers, and many of them were burned. The penitentiary was burned. Gov. Brown reconvened the legislature on the 15th of February, 1865, in Macon. The Senate met three days in succession before there was a quorum. In the absence of the presiding officer, Hon. T. L. Guerry was elected temporary President. Gov. Brown's message to the General Assembly was alike a symbol of the man and of the desperate crisis. He put the dreadful situation plainly. He discussed unmincingly the causes that had led to the stress. He criticised Mr. Davis freely. He placed blame where it lay. He concisely argued the great, grave question, which was then in everybody's mind as an extreme expedient to get out of our peril, whether we should arm our slaves and put them to fighting. Gen. Lee favored the policy, and he was a strong authority for any measure. Gov. Brown took a square stand against it, and his argument was practical and very strong. He condensed the objection to it in the idea that negroes would not fight heroically to continue

the enslavement of their wives and children. Lincoln could 'disband them by brigades, by a proclamation of freedom and protection. If we offered them freedom to fight, it was an abandonment of slavery.

Gov. Brown capped his message by urging the call of a convention of the Southern states to consider the crisis and provide a remedy. He pressed the abandonment of the fatal conscription policy and the return to the constitutional method of raising troops by the states; the reorganization of the troops under officers of state selection, which would put into the army the hordes of enrolling officers and other exempts; the repeal of impressment laws; and the appointment of a commander-in-chief with full control, except subject to removal by the President and Senate. The concluding sentences of this message are well worthy of quotation, and convey vividly the stern spirit of the Executive and the tottering condition of the cause.

"The further pursuit of our present policy not only endangers our rights and our liberties, but our independence also, by destroying the institutions and breaking the spirits of our people. . . Let us beware how we trifle with the rights, the liberties, and the happiness of millions.

"I am aware that the freedom and plainness, which a sense of duty to my country has compelled me to exercise, in discussing the measures of the administration, and the policy of the government, may subject my motives to misconstruction. I feel the proud consciousness, however, that I have been actuated only by a desire to promote the cause so dear to every patriot's heart, and thereby secure the independence of the Confederacy, with the civil and religious liberties and constitutional rights of the people, without which independence is an empty name, and the glory and grandeur of our republican system is departed forever. No one can be more vitally interested than myself in the success of our cause. I have staked life, liberty and property, and the liberties of my posterity, upon the result. The enemy have burned my dwelling and other houses, destroyed my property, and shed in rich profusion the blood of nearest relatives. My destiny is linked with my country. If we succeed, I am a freeman. But if, by the obstinacy, weakness or misguided judgment of our rulers we fail, the same common ruin awaits me which awaits my countrymen. It is no time to conceal ideas in courtly phrase. The night is dark, the tempest howls, the ship is lashed with turbulent waves, the helmsman is steering to the whirlpool, our remonstrances are unheeded, and we must restrain him, or the crew must sink together submerged in irretrievable ruin."

The legislature remained in session until the 11th day of March, 1865. The body refused to call a convention. Resolutions were passed to continue the war. Addresses of war encouragement were made by Gen. Toombs, Gen. Cobb, Ben Hill and Wm. H. Stiles, to the members and citizens. Gov. Brown's message excited a varied contrariety of comment. Like everything else this positive man uttered and did, it evoked warm commendation and hot censure and a spirited antagonism. The friends of Mr. Davis abused Gov. Brown, and the latter's friends

defended him. One or two papers, the Macon *Telegraph* especially, in editorial charge of a bright, little black-eyed poet, Harry Flash, who has written some of the finest war lyrics in the English language, struck at the Governor savagely, and he came near having a duel in consequence thereof with J. Henly Smith, editor of the Atlanta *Confederacy*. The soldiers and the people were with the Governor, however, in spite of the bitterest kind of denunciation from a fierce minority, that hit him from first to last with merciless malignity. Every conceivable charge had been brought against him. He had been accused of speculating and making money out of corn and salt and cotton and everything else. He struck down these slanders, one by one, with vigorous blows. It has been one unfailing peculiarity of Gov. Brown, that he has met attack, whether in the shape of slander or argument, promptly and aggressively. His opposition to the conscription act brought against him constantly a torrent of crimination that he was untrue to the Confederate cause. But against all of these calumnious accusations stood his sleepless practical devotion to the cause and sacrifices and labors in its behalf.

A very interesting episode of this General Assembly was the action it took against Hon. Lemuel J. Alred, the member of the legislature from Pickens county, so long connected with public matters in Georgia, and who to this day preserves his potential agency in the local affairs of his county, and represents it in some capacity in all of the conventions and legislatures of the State. He was charged with treason and disloyalty, and resolutions of expulsion were introduced. It was alleged that he had raised a tory company, and stood to the United States flag. He was imprisoned in jail and released upon a writ of *habeas corpus* by Judge O. A. Lochrane of the superior court, who thus pronounced against the truth of the charge after an investigation of the matter. This release by Judge Lochrane was a peculiarly courageous and creditable exercise of judicial duty. Judge Lochrane had been appointed by Gov. Brown, and his confirmation was pending in the Senate. Yet he antagonized the body by his prompt reversal of their action and the release of Alred.

This session of the General Assembly was a notable one in that it was the last held in Georgia under the Confederate government; and, notwithstanding the disheartening condition of matters and the gloomy war outlook, it sustained the manhood and honor of the State with an unshaken courage, and kept its shining faith to the Confederacy in the darkest calamities of its own ruin.

During this woful period one of the distinguished soldiers of the State did a service that entitles him to the State's gratitude. This officer was Gen. Wm. T. Wofford. He was a firm anti-secessionist, and carried his county against secession. On the 23rd of January, 1865, by the request of Gov. Brown and the people of Georgia, and by his own desire, he entered upon duty as a department commander in North Georgia. This favored section of the State, rich, healthy, beautiful, was a continuous ruin. It exemplified the horrors of war. The white section of the State, it furnished the bulk of the Union element. The arena for contending armies for a long period, it was desolated in its entirety. Left for months outside of the protecting agis of both governments, the hiding-place of guerillas of both armies, the theater of that worst of all strifes that exist between inimical local factions, it realized in all its dread malignancy the miserable suffering conveyed in the realization of anarchy. The melancholy condition of this section is the saddest picture of all of the sad ones of the late war. Those able to flee, fled. Those unable to get away staid in armed despair, ever present peril, and subject to daily rapine and death. Courts were silent, schools empty, churches deserted. Dwellings were burned and fences destroyed, until the civilizing demarkations of home and farm were lost in indistinguishable ruin. Strolling bands of deserters and robbers herded in the mountain caves, made predatory excursions from their fastnesses, and in their inhuman collisions and murderous orgies kept up a reign of terror. It was once a smiling country, peaceful, prosperous and happy, converted by the fell Moloch of war into a bloody scene of utter desolation. And to these awful horrors, universal and unmitigable, the possibility of starvation was superadded. No crops could be raised in this hideous time, and charity could not penetrate this wilderness of devastation.

To redeem this cursed land, certainly a blessed mission, Gen. Wofford was sent by Mr. Davis at the request of Gov. Brown, who knew his fitness for the duty. It was a labor of love for Gen. Wofford, and he entered upon his difficult duty with zeal. He called in and organized over 7,000 men, large numbers of them deserters and stragglers. He exhibited decided executive ability in his work. The railroad track was torn up and twisted, so that railway transportation could not be used. He overcame with masterly will and ability the intrinsic difficulties of his position. He obtained corn and distributed it among the starving people. His cool, resolved tact was the very quality to handle the turbulent lawlessness of the section. He sent a flag of truce to Gen. Judah,

the Federal commander in North Georgia, and obtained a personal conference, in which he induced Gen. Judah to do the noble act of distributing corn to the starving people furnished by Gen. Wofford.

The capture of Savannah was a very valuable one to the Federals. Gen. Sherman sent the following agreeable dispatch to President Lincoln:

"SAVANNAH, GA., Dec. 22, 1864.

"TO HIS EXCELLENCY PRESIDENT LINCOLN, Washington, D. C.

"I beg to present you as a Christmas gift the city of Savannah, with one hundred and fifty heavy guns and plenty of ammunition, also about twenty-five thousand bales of cotton.

W. T. SHERMAN, Major General."

It turned out that there were 250 coast guns and 31,000 bales of cotton. The city was placed under military government. An order was issued, that among other things, restricted the publication of newspapers to two, and threatened the editors and proprietors with severe punishment in person and property for "any libelous publication, mischievous matter, premature news, exaggerated statements, or any comments whatever upon the Acts of the constituted authorities." This was freedom of the press with a vengeance. The wives of Generals G. W. Smith and A. P. Stewart of the Confederate army were in the city, and were accorded special protection. The capture was a sore crisis for many elegant people. Savannah is a city of unusual culture, and was inhabited by a citizenry of wealth and high-bred refinement and luxury. Ladies of the best families were compelled to vend cakes and pastry at their basement windows to raise means to subsist. Gen. Sherman issued provisions to many families. A meeting of citizens was held upon call of the Mayor, Dr. R. D. Arnold. Dr. Arnold was made chairman, and A. S. Hartridge and Robert Irwin secretaries. A committee consisting of Col. Rockwell, Alderman Lippman, Dr. Willis, Alderman Villalonga, Martin Duggan, J. G. Wills, W. D. Weed, Alderman Lachlison and Alderman O'Byrne, reported resolutions which were unanimously adopted, seeking peace by laying down arms and submitting to the national authority, claiming the immunities and protection of the Federal government, and asking the Governor to call a convention of the people of Georgia to give them an opportunity of saying whether the war should continue.

This action of Savannah was the initial note of submission. On the 19th of January, 1865, Gen. Sherman made the first general orders for his move into Carolina, the continuation of his march. In speaking in his memoirs of this movement, he uses this language:

"We were all anxious to get into the pine woods again, free from the importunities of rebel women asking for protection, and of the civilians from the North who were coming to Savannah for cotton, and all sorts of profit."

No words could better convey the condition of the people of this captured city than these few simple words of the General of the Federal army. Between the conquering soldiery and the rapacious speculators the citizens had a hard time. The correspondence between Gen. Sherman and the Federal authorities throws full light not only upon the march through Georgia, but its continuation through Carolina. Says Gen. H. W. Halleck:

"Should you capture Charleston I hope that by *some accident* the place may be destroyed, and if a little salt should be sown upon its site, it may prevent the growth of future crops of nullification and secession."

To this gentle suggestion Gen. Sherman replied:

"We are not only fighting hostile armies but a hostile people, and must make old and young, rich and poor, feel the hard hand of war, as well as their organized armies. . . . Before we have done with her, South Carolina will not be quite so tempestuous. . . . I will bear in mind your hint as to Charleston, and do not think 'salt' will be necessary. When I move, the fifteenth Corps will be on the right of the right wing, and their position will naturally bring them into Charleston first; and, if you have watched the history of the corps, you will have remarked that they generally do their work pretty well. The truth is, the whole army is burning with an insatiable desire to wreak vengeance upon South Carolina. I almost tremble at her fate, but feel that she deserves all that seems in store for her. . . . I look upon Columbia as quite as bad as Charleston, and I doubt if we shall spare the public buildings there as we did at Milledgeville."

From these expressions of the Federal Generals it can well be understood that the frightful severities of this campaign in Georgia and Carolina were intended. It is not our purpose to follow the fighting farther. On the 23rd of February, 1865, Gen. Joseph E. Johnston was re-instated in command of the inconsequential fragment of a Southern army. In this little force was 1,100 South Carolina militia and reserves. It is not irrelevant to contrast this small body of Carolina militia, defending Carolina soil, to the 10,000 of Georgia militia raised and armed and put in the field by Gov. Brown for months in defense of Georgia soil. The fact illustrates not the superior patriotism of the Georgia citizens, but the superior vigor and zeal of Georgia's war Governor.

On the 3rd of February, 1865, took place the celebrated Hampton Roads Peace Conference, between Mr. Lincoln and Mr. Seward of the North, and Mr. Stephens, Mr. Hunter and Judge Campbell of the South, which resulted in nothing. This Conference is given in full in Mr. Stephens' great work, "The War Between the States," and constitutes one of the most valuable chapters of that important work. It is

a singular coincidence that an illustrious Georgian should have been the main actor in both of the two efforts at peace between the sections, and it keeps up the remarkable destiny of Georgia as the crowning factor of the revolution.

But the end was at hand. The colossal contest was drawing to its desperate and tragical conclusion, and it was a strange and unerring exemplification of the influential fatality of the State of Georgia in the struggle, that in the person of her gallant Gordon she figured so conspicuously in these fateful final scenes. He was the second figure to Lee in the dismal glory that marked the gory failure of the revolution. In the terrible last days, it was the ringing name of John Gordon that most frequently thrilled the public ear. In the mighty throes of this expiring and gigantic war, it was the knightly figure of Gordon that led the forlorn hopes of the falling cause. It was Gordon with his unconquered bayonets, that last left the futile fortifications of Petersburg; it was Gordon, undaunted and undismayed, that in the calamitous retreat led and fought in front of the enemy with his shattered band of heroes; and it was this same Gordon that was chosen to cut his way through the encompassing legions with his fragment of 2,000 intrepid men, in the most forlorn hope that was ever contemplated by soldierly desperation. And when the historic scene of Appomattox Court House came, with its memorable surrender of the army of Virginia, and its consequent collapse of the Southern cause, it was Georgia's Gordon that divided with his great chieftain, Lee, the sad celebrity of that heroic but irreparable conclusion of the grand drama.

On the 2nd of April, 1865, Lee's line at Petersburg was broken, and Davis and his cabinet left Richmond and went to Danville. On the 9th of April, Lee surrendered. On the 26th of April, Johnston surrendered, and in swift succession followed other surrenders up to the 25th of May, when the great war was ended—forever. Georgia witnessed and felt the horrors of a cavalry invasion by Gen. Wilson of the Federal army from Alabama, that officer reaching Macon at the time of being stopped from farther devastation by the truce following upon Johnston's surrender.

The President and his cabinet, the small nucleus of the dead Confederate government, the helpless representatives of its defunct authority, were fugitives and uncaptured. The State of Georgia was not to be balked of its curious fate of a foremost agency in the revolution, even in the final matter of being the arena of the last order of Confederate power, and the theater of the dissolution of its administration and capture of its President.

As soon as Richmond fell Mr. Davis and his cabinet went to Danville. Remaining there a few days, he proceeded to North Carolina. When the armistice was arranged between Sherman and Johnston, Mr. Davis determined to go to Texas. A company of Dibrell's brigade of cavalry was assigned as escort. This was company B of the Ninth Kentucky cavalry, Captain Given Campbell. Mr. Davis had with him Gen. Breckenridge, secretary of war; John H. Reagan, postmaster general; ex-Governor Lubbock, of Texas, aid-de-camp; Burton N. Harrison, private secretary; Col. William Preston Johnson, Lieut. Hathaway, Mrs. Davis and four children, Miss Howell, his wife's sister, and Midshipman Howell, her brother. At Abbeville, S. C., his escort left him, except the captain and ten men, including privates H. C. Anders, James H. Smith, J. T. Walbert, W. N. Ingrain, Heath and Hartness. The party had five wagons and three ambulances. Mrs. Davis and the family were sent on ahead. Mr. Davis arrived at Washington, Wilkes county, Ga., the home of Gen. Robert Toombs, on the 4th day of May, 1865. Gen. Bragg, Gen. J. M. St. Johns, commissary general, Gen. A. R. Lawton, quartermaster-general, and a large number of Confederate officers arrived there. The various heads of departments all had left Richmond together, and they remained with Mr. Davis in Washington, Ga., until they separated by his order. It was here that the Confederate administration dissolved and the last official order of the Confederate government was issued, which is given in this chapter; and it was a singular and suggestive coincidence, strikingly exemplifying the strange caprices of human events, that a little country village, in a section of Georgia out of the range of military operations, and the home of the man who did more than all other men in the South to spring the revolution, and who had been the organizing premier of the Confederate government, should, by a fantastic fatality, be the spot where the heroic but ill-fated venture went to pieces and its last note of official authority was given.

President Davis and most of his staff stayed at the Heath House in Washington. The building was occupied also as a bank. Mr. Davis was very much worn, and saw but little company while in Washington. He remained there about thirty-six hours, reaching the town at noon of the 4th, and leaving it the 5th of May. St. Johns and Reagan spent the night with Gen. Toombs, as did Major Raphael J. Moses, of the commissary department, from whom we have obtained the most interesting particulars of this matter, and to whom we are indebted for a copy of the official order referred to. Major Moses was commissary for the State of Georgia, having been appointed to fill the place of Major Locke, who

had died. He had been sent to South-western Georgia by Gen. Lee, to try what effect direct appeals from one fresh from the field would have in inducing the people at home to send forward more liberal supplies of food to the suffering troops in Virginia, who, almost without rations, had been opposing the well-fed troops of Grant at the Wilderness and other points. On Major Locke's death, Major Moses was put in his place, and his duties as state commissary located him at Augusta in April, 1865, and his presence was required along the line of the Georgia railroad, and at the time written of his duties called him to Washington, where he received from Gen. Toombs an invitation to stay with him. Such hospitality was acceptable beyond expression, at a time when the pay of a Confederate major was \$162.50 per month, in a currency that commanded at the same time a day's board for the moderate amount of \$50.

While Major Moses was in Washington, the President and his party arrived. Among the other attractions, that which filled the public eye of the watchful Washingtonians almost as much as the distinguished visitors, was the far-famed specie train, containing really between \$100,000 and \$200,000, which amount Dame Rumor exaggerated to untold millions, and which was an object of keen stimulus for the popular cupidity. The bulk of this money was in uncoined bullion—mostly bars of the precious metal, unmolded into dollars.

Gen. Dibrell gives this interesting account of what he knew of this famous and exaggerated money:

"I was directed to furnish four additional wagons to transport the specie, and Gen. Breckenridge in person directed Gen. Duke, with his brigade, to guard the specie train. We crossed the Savannah river and halted near Washington, Ga., about sunrise on the morning of the 2d of May. The specie train was parked in a lot near a house occupied by Gen. Breckenridge for head-quarters. The specie was taken into his room. I was present part of the time. The first box opened contained bullion, and was nailed up again. By direction of Gen. Breckenridge, muster rolls of all troops present were made out. This money for the troops, upward of \$108,000, was turned over to Maj. E. C. White, my division quartermaster, (he being the senior quartermaster present,) and the amount due each soldier, \$26.25, was paid through the regimental quartermaster on each muster roll. Each officer and soldier, including infantry and cavalry, as well as Gen. John C. Breckenridge, received just the same amount, \$26.25.

"Maj. White, after the payments were all made, handed me a report in writing of the amount received by him and the payments made to each command, showing how he had disbursed the \$108,000. This report I brought home with me, but have lost or mislaid it. Maj. White was a citizen of Anne Arundel county, Md., but of late I have been unable to learn his address.

G. G. DIBRELL."

Just before the President (Mr. Davis) left, Gen. Joseph E. Johnston sent Major Moses an order to furnish 250,000 rations to troops return-

ing to their homes. The Confederate States had at the time of Johnston's capitulation with Sherman a very large supply, comparatively speaking, of rations at different points on the Georgia railroad, which connects Atlanta and Augusta, some one hundred and seventy miles apart, but as soon as it was known that the last hope of the Confederacy had passed away, the half-starved people along the line of railroad soon transferred the Confederate commissary stores to more convenient places, and there was not a week's rations for one hundred men from one end of the road to the other.

We not only had no rations to feed the returning troops, but if we had had enough to fill every storehouse on the route, there was no way of protecting them. It was in this contingency that Maj. Moses wrote and induced the Commissary General, St. Johns, to sign the last official order ever drawn by the Secretary of War of the Confederate government. It was signed by Gen. J. M. St. Johns, by direction of the Confederate Secretary of War, in Washington, Ga., while in transitu and bound for parts unknown. It ordered Maj. Moses to arrange with some Federal general at Augusta or Macon to supply the returning troops and provide the hospitals with rations and necessary medicines, and for that purpose apply to the Confederate government for the necessary funds. The order being signed, Maj. Moses did apply, but it was like calling spirits from the vasty deep. They did not come. In this emergency Maj. Moses applied to Gen. Toombs, and he obtained an order from Gen. Breckenridge, the Confederate Secretary of War, upon the officer in charge of the specie train, to pay Maj. Moses \$40,000 in bullion, of which \$10,000 was to be turned over to the Quartermaster Department, in charge of Felix R. Alexander, Assistant Quartermaster under Gen. Alexander R. Lawton, the Confederate Quartermaster-General. Armed with this order, Maj. Moses overtook the train of wagons a mile or so from Washington, the night of its departure, and received and receipted for what was estimated or guessed to be \$40,000 of gold bullion.

This bullion was carried back to Washington, and being guarded over night, \$10,000 was paid over to the Quartermaster-General, Lawton, and with the other \$30,000 Maj. Moses started for Augusta, guarded by four members of the Washington artillery. Maj. Moses had a stirring time with his perilous treasure. It was, of course, known immediately that he had it in possession. The war had unhinged men's ideas and principles. But still more demoralizing of the public conscience was the desperate stress of the people, coupled with the knowledge

that the Confederate cause was dead, and that this specie was ownerless and a probable treasure trove and booty for the Federal soldiery. Maj. Moses, with punctilious honor, was resolved to part with it only with his life and to deliver it according to orders in fulfillment of its kindly mission.

On the train from Washington to Barnett, where the branch road joins the Georgia railroad, he was watched and menaced with constant danger. At Barnett he had his car switched off before the train arrived at the depot and left in a cut, but the eager crowd swarmed around it. The car was taken up to the depot, and for several hours, until the Augusta train arrived, Maj. Moses was in the most perturbing perplexity and strain of his life. There were some two or three hundred returning soldiers, besides the no less determined citizens. These desperate men, a reckless mob, coolly demanded the money, as being as much theirs as any one's, and they were armed to enforce their demand. A number of soldiers and officers stood by Maj. Moses, giving him friendly aid, among whom were Private Shepherd, formerly of Columbus, Ga., then of Texas, and Gen. Sanford, who is now practicing law in Montgomery, Ala. Maj. Moses remonstrated quietly and argumentatively with the menacing men surrounding him, and appealed to their honor and patriotism and stated his orders. At length it seemed nothing could avert the attempted ravishment of this specie.

A wounded officer seemed to be the ringleader. Finally, as if by an inspiration, Maj. Moses stepped up to this officer and addressed him in these words:

"Sir, your rank indicates that you are a gentleman, and your wound testifies that you have been a gallant soldier. I appeal to you in the spirit of that honor that belongs to all brave men, to assist me in the discharge of this trust."

The officer promptly responded that he would willingly aid in the matter, and he went around among the threatening soldiers, quieting them. Maj. Moses was enabled to safely continue his trip, and delivered the bullion to Gen. Molineux, stationed at Augusta, and did so upon his promise to feed the returning soldiers and see that the sick in the hospitals were cared for. The bullion was weighed and turned out in excess fully \$5,000. It was delivered by order of Gen. Molineux to one Adams, of Massachusetts, then acting as provost marshal of Augusta. Maj. Moses has since attempted to learn whether this money ever reached the Federal treasury, and went in company with Maj. J. D. Waddell to Washington city, and delivered it to the Hon. Jerry

Black, with the request that he would trace the fund, but he has never heard the result of the investigation.

Just after the departure of Gen. Breckenridge from Washington with a body of cavalry, a cavalry man rode back in a gallop and threw a bag of gold coin over the fence around Gen. Toombs' residence, and then rapidly rode away. No explanation was given of this liberal act, no instructions accompanied the money, and there was no clew ever obtained as to the motive or purpose of the soldier. The bag contained \$5,000 in gold currency. Gen. Toombs at the time was in great stress for money, and was borrowing gold for his contemplated flight out of the country, but he swore with a round oath he would not touch a dollar of this money, so strangely and unexpectedly showered upon him. The bag was turned over to Capt. Abrahams, a Federal commissary, for the purchase of flour and other provisions for the returning Confederate soldiers, and Maj. Moses states that his son aided in this disposition of the fund. Gen. Toombs was a princely financier and has always had a lordly scorn of unclean or illegitimate money. His escape and adventures abroad were right romantic. After Mr. Davis and his party had all scattered out from Washington, and Gen. Toombs was about to get away, a Federal soldier rang at the door. Gen. Toombs himself went to the door, and the soldier told him he was after Gen. Toombs and asked if he was at home. The General replied "Yes," and asked the soldier to wait while he informed the General. Going in and telling Mrs. Toombs to delay the soldier as long as possible, Gen. Toombs went out the back door, mounted a horse that he had ready back of his premises, in anticipation of just such a contingency as this, and took to the woods, making for the coast. Mrs. Toombs held the soldier on one pretext and another for nearly half an hour, carrying him from room to room, all locked and the keys lost. These moments enabled Gen. Toombs to get away.

In England he was without a dollar in money; but a banking firm, for which he had done legal business before the war, learned of his being in that country and tendered him \$100,000 for his use, which he declined, except several thousand dollars that he used for a friend. He was traveling on the train and met accidentally a nobleman whose acquaintance he had made in Washington, and this gentleman immediately consulted him professionally on a matter connected with some American securities, and for this legal opinion Gen. Toombs received a fee of \$5,000, which relieved his necessities. No man in the Union has been a more successful maker of money than Gen. Toombs.

Washyn. May 5. /65.

Received from Maj. R. L. Moore. Three
Boxes estimated to contain Ten
thousand dollars in Ballon this
has not been weighed or counted.
and is to be opened before two Insured
Officers and a certificate of contents
made which certificate is to be
forwarded to Maj. R. L. Moore and
by the annual certificate to the undersigned
of the bonds.

R R Wood
Maj & G. M.

Received of
Maj. R. L. Moore, C. S. will pay the
amount of Ballon appropriated to
2 M. Sept. by Secy. War & Maj. R. R. Wood
May 5 /65 -
Washyn.:

By order of General
W. F. Alexander
Maj. & Asst. to the
General

THE LAST ORDER OF THE CONFEDERATE GOVERNMENT,
Given at Washington, Wilkes County, Georgia, May 5, 1865.

We now come to the last official writing ever issued by the Confederate administration. For four years it had conducted this unparalleled war, directing the movements of a million of soldiers and disbursing \$1,000,000,000. It had issued orders affecting the destinies of States, armies and a grand nation. It had witnessed the dissolution of its massive hopes, and here was the end of it all, the last official act of an agent of such colossal duties. The paper is both intensely interesting and touchingly pathetic. It is as historic a curiosity as the world affords, this last flicker of a mammoth revolution, this final order of a stupendous rebellion—this concluding authoritative act of the war of the semi-world. Such thoughts cluster around it as would make a grand epic. It is a short document, written upon the Confederate made paper that was manufactured in those days, a yellow, coarse, porous writing material, itself a significant symbol of Confederate times. The paper is of the commercial note size, thin, flazy, hardly bearing ink, rather a tough textured, blotting sheet, than a usable writing medium. As an ordinary document of every day life it would be valueless. It merely directed the payment of \$10,000 of gold bullion, and on the order is written the receipt for the bullion, the paper thus testifying to the honesty and promptness of the disbursing officer of a great shattered government—an administration gone down hopelessly in a grand ruin. But as the last order of that Confederacy, that for four years had maintained the mightiest war of all history, that was alike the center of such an immeasurable range of hopes and memories, and the striking object of such an immense and turbulent conflict of blood, it has an interest and a poetry that cannot be expressed and that will grow with time.

By some curious chance the receipt comes first, and then follows the order, indicating that it was all one transaction. The order was written by Maj. R. J. Moses, as also the receipt. We give the order first:

"Maj. R. J. Moses, C. S., will pay \$10,000, the amount of bullion appropriated to Q. M. Dep. by Sec. War, to Maj. R. R. Wood. By order of Q. M. Gen.

"W. F. ALEXANDER, Maj. and Ass. to Q. M. Gen.

"5 May, 1865, Washington."

The receipt is as follows:

"WASHINGTON, May 5, '65.

"Received from Maj. R. J. Moses three boxes estimated to contain \$10,000 in bullion. This has not been weighed or counted, and is to be opened before two commissioned officers and a certificate of contents made, which certificate is to be forwarded to Maj. R. J. Moses, and by the amount certified to the undersigned is to be bound.

"R. R. WOOD, Maj. and Q. M."

With Mr. Davis was captured the balance of the coin and bullion,

which was carried to Washington, D. C. In 1866, certain Virginia and Louisiana banks claimed that this money was their property and not the property of the Confederate States. Treasurer Spinner insisted upon a particular description of the captured coin, which could not be given. Subsequently, Secretary McCulloch, by order of President Johnson, directed Treasurer Spinner to turn the money over to the claimants, but on consultation with Secretary Stanton, he refused to do so, and soon after the bullion was coined. At Treasurer Spinner's instance, Congress passed a resolution, approved March 22, 1867, ordering that this money be conveyed into the treasury by warrant. This was done. In 1873 Judge Joseph Casey, attorney for the Bank of Louisiana, made another attempt in the United States Court of Claims, to get this money. He had a rule issued on the Secretary of the Treasury to show the kind and amount of coin captured, whether there were certain kegs of gold, Spanish and American coin, sixty kegs or less, and boxes of silver coin, and the disposition made of such coin, and the authority for the disposition. Secretary Boutwell referred the rule to Treasurer Spinner, who gave the information desired, but claimed that Congress, having by resolution disposed of the matters, was the only power that could give relief. This appears to have ended this episode of the last of the Confederate finances captured on Georgia soil with the President of the Confederacy in the sunny May of 1865.

It was a singular coincidence that the Davis government should have finally dissolved in a place having the same name as the seat of government—Washington—the objective goal of the war efforts of that administration. It was a fitting conclusion of the young government that, after four years of unequalled resistance to a Power that had been backed by the civilized world, it marked its last act of authority by a thoughtful loyalty to the comfort of its penniless and starved defenders.

On this 5th day of May, 1865, the Confederate administration thus gathered at Washington, Ga., and standing at last shorn of every vestige of authority, means, support and power, helplessly fugitive, its long-fought cause done forever, dissolved and scattered, never more to meet. General Breckenridge, the Confederate Secretary of War, went in one direction; General St. Johns, the Commissary General, in another; General Lawton, the Quartermaster-General, in still another; while Mr. Davis and Mr. Reagan, the Postmaster-General, fled leisurely at the rate of about thirty miles a day into the interior of Georgia. It was a strange want of vigilance and rapidity in Mr. Davis as an escap-

ing fugitive, and it almost seemed as if he either did not apprehend or did not care for capture.

At Irwin's Cross Roads, in Washington county, a band of desperadoes made a demonstration upon Mr. Davis and his party, ignorant of who they were. At Dublin another attack was threatened by some thirty deserters, but in both cases the bands were frightened or persuaded off. A federal force of about two hundred cavalry, under Lieutenant Colonel B. D. Pritchard, of the Fourth and Second Michigan regiments, finally captured Mr. Davis and his party near Irwinville, at daylight on the morning of the 10th day of May, 1865. The federal cavalry was divided and ran upon one another unexpectedly, firing and killing several soldiers.

For a long time the Northern press circulated the statement that Mr. Davis was captured in woman's clothes, but the statement was false, and was undoubtedly fabricated to throw ridicule upon him and the cause he represented. The report was an ungracious piece of malignancy, as ungenerous as it was malicious.

With the capture of President Davis on Georgia soil, the final blow was given to the Confederate government and the Southern cause that it represented. The first act of war had been committed on Georgia territory, and the ultimate ending, by a providential fortune, came here too. The brilliant beginning and the calamitous conclusion both belong to Georgia, and with her other masterful instrumentality in the mighty episode, weave together a story of heroism, power and disaster, that will live in all ages.

The simple record of the sacrifices of the state of Georgia will show resplendently her war record. She sent to the field over 120,000 soldiers, or 20,000 more than her voting population at the beginning of the war. No statistics were gathered until 1867, after she had enjoyed two years of recuperation, and there is no means therefore of accurately estimating the damage she suffered. Her aggregate wealth in 1867 was \$191,235,520, or \$481,497,381 less than in 1861, and her gain from 1865 must have been fully fifteen or twenty millions, making her war loss amount to the prodigious proportion of three-fourths of her wealth. We can best illustrate Georgia's heroism and suffering by comparing her losses with those of the other Southern states: Georgia, 481 millions, or over three-fourths of her wealth; South Carolina, 326, or two-thirds; Mississippi, 355, or two-thirds; Virginia, 186, or two-sevenths; North Carolina, 160, or one half; Kentucky, 104, or one-fifth; Louisiana, 185, or two-fifths; Tennessee, 69, or one-fifth; Florida 36, or one-half; Missouri gained 286 millions.

Her loss in slaves alone was \$272,015,490, or thirty-four millions more than her present wealth. Her lands fell off in value one-half. One-quarter of her railroad track was totally destroyed. Over 2,000 square miles of her territory had been stripped and ravaged and made a wilderness of wreck. The public debt was run to over twenty-five millions of dollars, of which over six millions were expended on the families of soldiers, four millions in sending clothing to the Georgia troops, and six millions more upon our state forces outside of Confederate operations. No state in the Confederacy approximated Georgia in her voluntary expenditures in aid of the war. And truth requires the candid admission that Gov. Brown led in this unequaled policy of generous and unstinted military zeal. Concurrently with all of his stubborn and unyielding conflicts for constitutional principle, he to the fullest extent of his official power, gave practical coöperation to the cause, and contributed his private fortune. The substantial significance of such a force cannot be overlooked.

But the end had come. Our efforts, our sufferings, our sacrifices had been unavailing. The war had gone against us, hopelessly, finally. And from the unredeemed wreck of unsuccessful revolution the people of Georgia turned their crushed energies bravely to rehabilitation and the future.

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PART III.

The Reconstruction Travesty and
a Superb Rehabilitation.

CHAPTER XXXII.

THE TRANSITION PERIOD OF PURE BAYONET RULE.

The Whimsical Tyranny of Reconstruction.—Venomous Times.—Gov. Brown's Dramatic Experience.—Outliving a Merciless Ostracism.—Gen. Wilson.—Stephens, Cobb, Hill and Brown arrested.—Gov. Brown's Release.—Gen. Wilson Squelches the "Rebel State Authorities."—Federal Cleverness.—Gen. Wofford.—Mules and Corn Distributed.—Gov. Brown's Resignation.—His Philosophy to "Do the Best we Can."—The Enfranchisement of the Black and Taking the Oath.—The Georgia Union Club in Savannah.—James Johnson Provisional Governor.—His Pronouncement.—His Macon Speech.—Civil and Moral Chaos.—Johnson's Mistake.—Clinging to Slavery.—The Dazing Effect of Freedom on the Black.—The Freedman's Bureau.—The African Problem.—Grim Satire of the *Chicago Times*.—A Black Deluge and White Bondage.

WE come now to that anomalous, indefinable period in Georgia history, that must stand as the indescribable incongruity of her existence as a commonwealth. It is an epoch that baffles description. Neither war nor peace; marked by the anarchy of war without its dignity and a pretense of peace without its reality; ruled under a scorching travesty of law, alternating with bayonet despotism governed by mob caprice; this era of whimsical yet savage tyranny, known by the abhorrent name of RECONSTRUCTION, must ever remain the ridicule of patriotism and the contempt of statesmanship. It was the spawn of unbridled might. It violated every principle of good government. It sported wantonly with every sacred axiom of civil liberty. Inspired by hate, and operated with malice, it abortively retarded for a decade of years, the very object it claimed to seek, viz:—a solid and fraternal rehabilitation of a sundered Union, and a warring people. It was the cruelest bit of political harlequinade ever practiced by an enlightened civilization.

The mother that bore the monster Caliban, must have had the same feeling as she gazed upon the foul, ill-shapen, hideous creature, as the authors of reconstruction at this day, have in looking back upon the appalling abortion, they called into existence to re-unite in holy wedlock, the resentful sections of a riven nationality. The annals of the world show no more wicked and inexcusable botch of governmental polify. In using this strong language there is a meed of justice due to honest Southern men, who favored the principle of a martyr's submission to

hard terms, as the patriotic requirement of our conquered condition. And there is still another meed of justice due to honest Northern men, who condemned the drift of what they deemed a necessary policy. The acrimony of reconstruction was really no less intense and ruthless than the savagery of battle. Men were as mad and brutal, and reveled in fully as fiery passion. It is not altogether certain that men were not more hostile and implacable than when fighting, for the spilling of blood, and the clash of arms was a vent for the turbulence of hostility that toned down the inner heat, and satisfied the vengeance. But the repression of active deed during reconstruction made the inspiration of rancor over wrong flame the hotter inwardly.

Those reconstruction days were venomous times, spiteful, acrid, ferocious, absolutely unreasoning. Their fever was different from the war-heat, more stinging and unsparingly proscriptive. There was more execration about it, and utter disregard of magnanimity. It was an epoch of state history, that no Georgian can ever wish to see re-enacted. War has its glories, its stirring delirium, its triumphs, its renown. But that horrible era of reconstruction has nothing but bitter memories unredeemed by a single element of alloy. This era was to witness the most dramatic experience and tragical test of Gov. Brown. For years he had enjoyed such power and popularity as are vouchsafed to few men in this world. He had strongly swam, not floated, for he bravely breasted his own firm course, upon a flood current of public favor in as stormy a crisis, and as long as any leader ever did in human chronicles. He had made himself the foremost civilian of the Confederacy, engendering a reputation to be envied, with just enough of implacable enmity to give the proper seasoning to his celebrity, and point to his victories. He was destined to suffer an alternation of public favor, so sudden, so complete, so overwhelming and savage as to constitute the most extraordinary personal vicissitude of the extraordinary period. He was to be the victim of this remorseless odium too, without a shade of moral obliquity or a transgression that the most punctilious, social, moral or legal scruple could fasten to him.

He, himself, in his uncommon sagacity foresaw much of it and predicted it, but he had no conception of its reach and intensity. He had displayed exceptional daring and firmness in many trying emergencies. But he never had so ferocious a strain upon his adamant-nerve as in this reconstruction time, when he battled with the sentimental but herculean prejudices of the people. It was a frightful struggle, and must give him the horrors to this day. It battered and ostracized him, it made

him for a long time an exile and a practical outcast. It was enough to have crushed and crazed any man of ordinary or even extraordinary mold. Yet he not only resisted but he whipped it, and his political recuperation is as remarkable a case of sublime and indomitable political vitality as was ever seen. It was a grand test of the man's gigantic endurance and power. The writer was warmly on the other side in these fierce-hearted days, and in doing justice to Gov. Brown has nothing to recant of his own convictions. The day of passion, even in memory, has passed, and the time has come for rational fair-minded, good-tempered justice. Gov. Brown has been more fortunate than most men in outliving misconception, so terrific that the pangs of death were preferable. And he has won such a victory over aspersion as will make the remaining years of his eventful life happy and influential for good beyond estimate, and all the brighter for the antithesis of the long dark epoch.

The surrender left the state in military hands. Gen. Sherman, the most relentless practitioner of war's severities, had, with a splendid statesmanship, endeavored to give effect to the true consistent theory of the Union movement, and considered the states restored to their autonomy when arms were laid down. Gov. Brown acted on this idea. He called the legislature together to meet in Milledgeville on the 22d day of May, 1865. Gen. Wilson, the Federal commander at Macon, had notified him to surrender the State troops, and he had done so, taking a parole as the commander-in-chief with Gen. Gustavus Smith and his division. Gen. Upton was in command at Augusta, Gen. Croxton in Macon, Col. B. B. Eggleston in Atlanta, and Maj. M. H. Williams in Milledgeville.

Just at this time the surprise was shot upon the state of the arrest of Alex. H. Stephens, Gen. Howell Cobb, Hon. B. H. Hill and Gov. Brown. The latter had returned to Milledgeville the day after he was paroled. The next night the Executive mansion was surrounded by an armed Federal force under the command of a captain who notified the Governor that he was instructed to arrest him. Gov. Brown denied indignantly the right to molest him, producing his parole. But the officer replied, "I am instructed by Gen. Wilson to take that from you." The Governor protested against the outrage, claiming that, as he had not violated his parole, the faith of the United States was pledged to protect him. The officer would take no denial, and there was no chance to resist the armed force, so the parole was delivered up. He was permitted just thirty minutes to make his arrangements for departure, and was not allowed a moment of privacy with his family,

from whom he was thus so unceremoniously torn. He was carried on to Washington and incarcerated in Carroll prison. He addressed a letter to President Andrew Johnson, recounting the circumstances of his parole and arrest, and urging the injustice and bad faith of the treatment. After the lapse of a week he was accorded an interview by President Johnson, who promised to investigate the matter. At the end of several days Gov. Brown's release was ordered on his parole, and he returned to Georgia.

Gen. Wilson issued an order forbidding the Legislature to meet, as called by Gov. Brown. His order stated that "Neither the Legislature nor any other political body will be permitted to assemble under the call of the rebel state authorities." The order further said:

"The people of the state are earnestly counseled to resume their peaceful pursuits, and are assured that the President of the United States will, without delay, exert all the lawful powers of his office to relieve them from the bondage of rebel tyranny and to restore them to the enjoyment of peace and order, with security of life, liberty and property under the constitution and laws of the United States and of their own state."

There must have been a grim vein of satire in Gen. Wilson's composition. The idea of protecting the people of Georgia from "rebel tyranny" must have been the suggestion of a satirical humor inspired by an intuitive prevision of the coming cruelties of reconstruction.

In many particulars the Federal soldiers acted very cleverly. Gen. Wilson turned over to Gen. Ira Foster the Confederate mules, horses, wagons and harness, for distribution among the poor, and Col. J. H. R. Washington of Macon, was associated with Gen. Foster to aid in the distribution. In North Georgia, Gen. Wofford induced Gen. Thomas to loan the people 30,000 bushels of corn to feed them while making a crop, and to let the citizens have the straggling government stock scattered over the country, to help them to farm. These incidents do imperishable honor to the gallant Thomas. Gen. Wofford, by his tact and manly, liberal dealing, established a good understanding with the Federal Generals, that enabled him to serve the people effectually. The day after his surrender, which took place on the 12th of May, Gen. Judah paid him the compliment of asking him to prepare orders for the government of the country, and Gen. Thomas invited him to a conference for consultation. This northern section was in a dreadful condition, and its distress continued a long time, it had been so fearfully ravaged. Gen. Wofford was elected to Congress this year, but was not allowed to take his seat. He went to Washington to get an issue of provisions for the thousands of destitute citizens. The Demo-

cratic members of Congress could do nothing, and discouraged him. Nothing daunted, the resolute Wofford interested Judge Kelley of Pennsylvania, in the matter, who introduced and obtained the passage of a resolution authorizing Gen. Howard, of the Freedmen's Bureau, to furnish all of the supplies needed, and remedy the famine of this large section. Even in the middle of the war these upper counties had to be supplied by the state. It was a suggestive coincidence that this section of Georgia, the most reluctant in going into secession, was the most sorely punished by the resulting war.

Gov. Brown returned to Georgia to find that he was not allowed to exercise the functions of the Executive. The language of Gen. Wilson, speaking for Mr. Stanton, the Secretary of War, was :

"The restoration of peace and order cannot be entrusted to rebels and traitors who destroyed the peace and trampled down the order that had existed more than half a century in Georgia."

On the 29th of June, 1865, Gov. Brown, in order to facilitate the reorganization of the state government and remove any impediment that he might personally interpose to the solution of the great reconstruction problem, resigned his place in a creditable spirit of patriotism. His address was a dignified, manly paper, and a curiously characteristic enunciation of the man. It was the utterance of one who has been noted all of his thrilling life for facing unpleasant facts fearlessly, and meeting an emergency plumply, without dallying with improbable possibilities, or wasting time upon useless expedients. We have never in the South had a more practical man than Gov. Brown. He drives straight to substantial results, having the end in sight at the start, and it is his nature to work with a view to that end. He had given every energy of an unusually powerful nature to winning success in the war, and if all of the men of the South had shown his spirit we would have whipped the fight. When the cause was irretrievably lost, it was the irresistible nature of the man, and the movement of a profound common sense to seek the quickest exit from our dreadful abasement and utter ruin. Being conquered summed all the horrors of the situation. And the defeat following such an effort as we had made was the worst of all failures—that in which resistance had continued until we had desperately spent every resource, and were absolutely exhausted and helpless.

Gov. Brown recognized our condition, and faced it in entire frankness. The fighting day was gone. He had put out his best efforts while the war was on. When the thing was over, and the day had gone against us, and hope was at an end, the unconquerable practicality of

the man formulated, in that early hour, the policy which he consistently followed to the last, under such hideous pressure as was simply a miracle to have withstood. Here was his declaration of purpose, in his letter of resignation:

"The statesman, like the business man, should take a practical view of questions as they arise, and do for those dependent upon him the best that can be done, under all the circumstances, by which they are at the time surrounded."

Carrying out this idea Gov. Brown advised instant and entire acquiescence in the abolition of slavery, a cordial support of President Johnson's administration, and the prompt and general taking of amnesty for participation in the government by all not excepted. President Johnson had offered amnesty to all who took the oath of allegiance, except civil officers of the Confederate government, military officers above the rank of Colonel, naval officers above the rank of Lieutenant, Governors, Congressmen, Judges, West Point officers, and citizens worth over \$20,000. Of the last class there were 12,470 in the state at the close of the war according to the tax books. Adding the civil and military officers excluded, we had in Georgia somewhere between fifteen and twenty thousand men excepted from voluntary amnesty, this number including the wealth and civil and political leadership of the State.

The two main subjects of consideration and action were submission to the enfranchisement of the black and taking the oath, both of them hard, bitter pills then; one involving the unconditional renunciation of slavery, the cherished "corner stone" of our fabric for which we had gone to war, and the other, absolute allegiance to the power we had so long fought. Yet where was the power to resist these demands? Governor Brown took the initiative in urging an instantaneous compliance with them, and his letter breathes a strong spirit of patriotism.

In Savannah, on the 31st day of May, 1865, a meeting had been held of what was called the "Georgia Union Club." The President was Col. Wm. H. Stark, and the Secretaries L. A. Dodge and J. R. Sealy. A committee on business was appointed consisting of L. S. Bennet, M. Duggan, E. S. Riddell, E. Padelford, H. Brigham, Mr. Wadleigh and J. G. Mills, who reported resolutions which were adopted declaring that sympathizers with secession should not be supported for office, and asking for the appointment of a military Governor. And the following committee was appointed to visit Washington to secure the enforcement of the resolutions: W. Woodbridge, Wm. H. Stark, Henry Brigham, W. A. Stone, L. S. Bennett, E. S. Riddell, J. G. Mills, C. K. Osgood, Dr. P. Y. Clark, Ed. Padelford and H. B. Weed.

On the 17th day of June, Hon. James Johnson of Columbus was appointed by President Andrew Johnson, Provisional Governor of Georgia to reorganize the State. He had been a member of Congress, defeating Gen. Henry L. Benning in 1851. Gov. Johnson repaired to Milledgeville, and on the 13th day of July, 1865, he issued his Proclamation announcing his appointment, and calling a convention of the people to be elected the first Wednesday in October, 1865, and to assemble on the 4th Wednesday in October in Milledgeville. The oath of amnesty had to be taken to qualify citizens to vote. All redress for wrong was remitted to the military authority, and slavery was declared extinct. The most remarkable announcement in this military civil pronouncement, was the following, which will give the reader an idea of the unhinged condition of the times.

"That the idea, if any such is entertained, that private property will be distributed or parceled out, is not only delusive, but dangerous and mischievous; and if any attempt should be made by any person or persons to effect such an object by violence or unlawful means, it will only secure to him or them speedy and merited punishment."

On the 15th of July, 1865, two days after his proclamation, Gov. Johnson made an address in Macon, in the City Hall, Gen. Wilson and Hon. Thomas Hardeman being with him on the stage, in which he made a frank statement of his powers and purposes. He declared that he was appointed for the single object of enabling the people of Georgia to form a government—that slavery existed no more, and the fact would have to be constitutionally recognized. Gov. Johnson proceeded to say some very unwelcome things, and it must be confessed that his manner of saying them was not calculated to woo adhesion to his counsel. He declared the war a "stupendous folly" of our own seeking. He concluded with the expression of the belief that Georgia, under the new régime, would increase in prosperity and civilization.

The condition of feeling among our people was very peculiar at that time. It is difficult to give a conception of it now. It was a civil and moral chaos. The South was crushed and bleeding. The only surviving faculty was the united capacity for grief and resentment. Property was gone. From the ashes of a universal ruin, men looked out upon a future apparently without hope. The old order of things was destroyed. All previous experiences had been set at naught. There was nothing to forecast the future. Men were called upon to do herculean things, to bury cherished prejudices, to clean away the saddening ruins of dear hopes, to sepulcher fierce animosities, to conform to loathsome necessities, to remodel everything precious, social, political

and moral. It was a cruel thing in Gov. Johnson to go to abusing the people, and the ungracious reproach he put on the helpless citizens in their misery handicapped him for guiding and serving them. When he closed his speech in Macon, his hearers retired in a sullen dissatisfaction. There was an unpleasant conflict of feeling in the state over slavery. Men clung to the dead body, and hoped by some miracle to either revive it, or utilize its remains. The black problem was a grim puzzle in that day. There was all sorts of eager, fanciful hoping about it. It was hard to realize its utter death, and to submit to it. There was hot and curious contention among our folks over the carcass. Strange as it may seem now, in this day of ripe acquiescence in African freedom, in the chaotic months following the surrender, and up to the October convention in 1865, the vital issue was whether slavery was dead or alive, and it was acrimoniously discussed. The Government had proclaimed slavery dead, the "Freedman's Bureau" was universally established, and the negroes, as "Freedmen," were making voluntary labor contracts, yet, strange to say, a large part of our people stuck to the hope of at least some modified form of slavery. The decisive opinion of Gov. Brown and other sensible men carried its weight, but was not conclusive, and the chimerical and mercenary fought this barren issue.

We, who are living under organized government, can form no idea of what it is to be as we were then without civil law, and threatened with an unknown and perilous future. It was an appalling situation that we were in, under the arbitrary control of armed men who had been our foes, who were ignorant of our laws and institutions, and only had the caprice of their own will to govern them and us. Add to this the anxiety about the ignorant, dangerous element of free black labor demoralized with the novelty of license, and there was room for thoughtful men to be troubled. The negroes were as unsettled and disturbed as the whites. The phase of the colored mind in the bewildering experience of freedom was a psychological study. During the war the negroes had generally manifested a noble fidelity to their masters. Their quiescence was remarkable in the light of the fact that they were the ostensible cause of the struggle, and their destiny was involved. This was due largely to their want of education and the hereditary spirit of subordination born of centuries of slavery.

When freedom came there was no proper conception of it in their ignorant intelligences. The sudden transformation from slavery unleashed a legion of wild aspirations, blending in their scope unbridled

appetites and luxurious indolence. The essence of their new liberty was relief from labor. Idleness and vagrancy were the delicious realization of freedom. It seemed impossible to make them believe that they must work and support their families. The country negroes flocked to the towns and cities to live upon the bounty of the government or steal. They had the most impracticable conception of their rights. The military masters found an elephant upon their hands. It was a quaint but grave burden to manage the obstreperous and fantastical freedman of that day. The orders published then are a vivid illustration of the times. And they were curiously inconsistent in their arbitrary disregard of individual right. It was a comical commentary upon this new era of Utopian abolitionism, that its beneficiaries, in the first flush of their sacred emancipation, rushed incontinently to theft and vagabondism. And the bewildered commanders issued pronunciamientos as despotic as any ukase of the Russian Czar. Capt. Nunan of the 3rd Ohio cavalry, commanding the post at Milledgeville, promulgated an order that reads like a travesty of law. Said this extraordinary fulmination of authority, "Freedmen that will use any disrespectful language to their former masters will be severely punished." They were not allowed to go from one plantation to another without passes. A daily inspection of negro cabins was made, to stop stealing and killing of stock. Trading with negroes from the country was prohibited to check the plundering of plantations, and all blacks had to have a written permit to sell things given by their employers, and specifying the articles to be sold. Those under contract, who run away from their employers, and those who harbored run-aways, were arrested. And yet, with all of this interference with personal liberty, there was a religious adherence to the name of "Freedmen," the outward symbol of freedom.

It is due, however, to truth, to say that during this transition period of pure bayonet rule, the Federal officers generally sought to administer justice and conserve the public interest. They had a hard time between the rapacity of the black and the unrest of the whites. They were obliged to repress the delusion of the negroes that they were to own the property of their old masters, or indeed any property they did not buy, and it was a difficult task.

In looking at this stupendous black problem, out of the blinding interest of those rancorous days, it presented an overwhelming difficulty for solution. The emancipation of four millions of slaves, worth two thousand billions of dollars, was a vast economic question. The regulation of this huge body of unlettered labor and hereditary ignorance,

and the establishment of proper relations for it to the body-politic under an order of things antipodal to its entire previous existence and government, was the largest question of our vital century. It is not to be wondered that the matter was frightfully blundered and botched. For forty years the republic had been throbbing convulsively over the slave issue. The Union had split upon it. The greatest war of history had ended in its overthrow. And as before the crash, so this dominant black question, in the dubious day of national rehabilitation, clutched the country to the exclusion of everything else. In the hazy chaotic air just following the revolution, the abolition sentiment was wild over the stupendous achievement of African emancipation, and it kept up such a clatter as drowned for the time all other themes. Said one of the Western papers, the *Chicago Times*, of July 7, 1865, vividly describing this black craze :

"The African inundates us. Inky floods pour over the nation and threaten us with another and a worse than Noachic cataclysm. The black deluge ploughs through our streets, pours along the national avenues, and encircles the altars of religion."

This same paper concluded with this eloquent wail of grim satire :

"There is a chance in this country for philanthropy. There is a good opening for abolitions. It is to relieve twenty-eight millions of whites held in a cruel bondage by four millions blacks. It is a bondage worse than that of Helotism. It is one which retards our growth, directs our thoughts and absorbs our efforts. It drives us to war, it ruptures our government, it disturbs our tranquillity and threatens direfully our future. There never was another such a race of slaves as we ; there never was another people ground so complete in the dust as this nation. Our negro masters crack their whips over our legislators and our religion. They have established a tyranny over us worse than that of the Pisistratids.

"It is time there was something done for these twenty-eight millions of white slaves held in fetters by four millions of greasy, flat-footed Africans. Having labored and argued and legislated and fought for these our masters, for many years, it is time that we should be emancipated and enjoy the fruits of our labor. We see no hope, and the future of the country is as black as the subject of this article."

CHAPTER XXXIII.

THE ORGANIZATION OF THE STATE GOVERNMENT UNDER PRESIDENT JOHNSON'S PLAN.

Some Ludicrous Incidents of Bayonet Despotism.—The Macon *Journal* Suppressed because its Editor "Smiled" on taking the Oath.—Judge Erskine.—Mrs. Toombs.—Pardon of Gov. Brown.—Springing his Name for Governor.—The Convention of 1865, Typifying the Resurrection of Dead Sovereignty.—Its Personelle.—Judge C. J. Jenkins its Leader.—Gov. James Johnson's Biting Message.—Abolition of Slavery.—Repudiation of War Debt.—Thaddens G. Holt.—Fine Appeal for Disfranchised Citizens.—Gov. Brown and the State's Cotton.—Investigation and Strong Tribute to Gov. Brown and his Subordinates.—Gov. Brown to Judge Jenkins.—Judge Jenkins Elected Governor.—Congressmen.—The Legislature.—Its Personelle.—Gov. Jenkins not allowed to be Inaugurated Immediately.—His Final Installation.—His Superb Inaugural.—State House Officers.—Frightful Condition of the State.—Gov. James Johnson's Retirement.—The Black Code.—Gov. Brown's Advice Against it.—Gov. Jenkins' Message.—Inconsistency of Reconstruction.—Both in and out of the Union.—Judges Elected.—Important Legislation.

This epoch of genuine sword rule in Georgia was marked by some characteristic incidents of an arbitrary despotism. One in particular, while unspeakably ludicrous, and at this distance silly, illustrates alike the seriousness of that day and the fatuous drift of a capricious bayonet tyranny. The editor of the *Macon Journal and Messenger*, Mr. Augustus P. Burr, took the amnesty oath, and published in his issue of July 20, 1865, the oath with the editorial statement, that he had to "fortify himself for the occasion with an extra amount of 'Dutch courage,'" and that after "the performance we 'smiled' and we were fortified in rear and front."

Such badinage should have only elicited laughter or derision. Brig. Gen. C. H. Grosvenor, commanding the post at Macon, took it seriously, and in an order, unparalleled for its travesty of sense and its ridiculous folly, declared Burr's article "a high crime against the United States government," and an "open violation of the oath taken by the editor." This extraordinary order proceeded to declare solemnly "the editor is necessarily a bad man—incendiary in his character. His word is worthless, and his oath not to be trusted." Mr. Burr for his harmless pleasantry was arrested, his office seized and his paper suppressed. A similar incident occurred in Columbus. A man by the name of Betts, a sports-

man, jocularly insisted, when taking the oath, that his dog should do the same thing. For this he was arrested and imprisoned in jail some time.

Arrests were made upon the statement of a commissioned officer over his official signature. Judges were appointed by the Generals commanding districts, by Gen. Steadman at Augusta, and Gen. Washburn at Savannah. It was at this time that Judge John Erskine was appointed, by President Johnson, Judge of the United States district court, an appointment that he has held up to the present time, filling the bench with ability, kindness and dignity. With a large power to oppress the people, having questions to handle full of grave responsibility and bearing directly upon our prejudices, oftentimes burdened with duties odious to the people and disagreeable to our citizens, Judge Erskine has so deported himself as to win the respect and the confidence of men opposed to his political views in a long period of unprecedented political rancor and personal proscription.

An incident that attracted much attention at the time was an order from Brig. Gen. Wilde, assistant commissioner of the Freedmen's Bureau, to Mrs. Gen. Robert Toombs to vacate her home with only two weeks' provisions, as the premises were "abandoned property," to be taken and applied to the uses of the Freedmen's Bureau. Gen. Steadman, a humane and gentlemanly officer, revoked the cruel order and reinstated Mrs. Toombs. Thus were the liberties and property of the people made the shuttlecocks of men's caprices, and law and right quivered upon the shifting will of petty, irresponsible military despots in every county. It is little to be wondered, that a man so sagacious and practical as Gov. Brown, should have seen in the prompt acceptance of disagreeable stipulations, that could not be resisted, the escape from a condition of things abhorrent to every lover of law and liberty.

On the 7th day of August, 1865, Gov. James Johnson issued his proclamation that Ordinaries could administer the oath of amnesty, and that civil officers who had taken the amnesty, and were not excepted, could resume their official functions. Gov. Brown received his pardon in the middle of September, 1865. The "*Federal Union*," commenting upon the matter, used this prophetic language:

"Gov. Brown is now at liberty to devote his great mind and unsurpassed energies to the restoration of his beloved State to the rights and dignity of a sovereign State of the Union, and we feel well assured he will do all in his power to make her pathway smooth and her passage expeditious. Gov. Brown accepts the terms of reconstruction, and will take hold of the situation in downright earnest. He is not the man to stand idly by

while there is such important work to do. We expect, therefore, to see him among the foremost in shaping our new destiny as a commonwealth."

It was a striking demonstration of Gov. Brown's popularity, that as soon as his pardon was announced, the papers began to teem with articles urging his candidacy for Governor again. He was resolved, however, not to permit the use of his name. His houses on his farm in Cherokee county had been burned down, so that he could not go there to live. In December, 1865, he moved to Atlanta, where he has resided since, and where he was to experience the most dramatic episodes of a life that had already been startling in its eventfulness.

The convention ordered by Gov. James Johnson, assembled on the 25th day of October, 1865. It was called to order by Gov. Johnson. Judge Iverson L. Harris administered the amnesty oath. A number of delegates were excepted from amnesty, but President Johnson had generously pardoned them that they might serve. There was a peculiar solemnity and import in the convening of this body. By the rude hand of war the State had been remitted to chaos and disorganization. Ordinarily the momentous autonomy of governments grow from inconsiderable beginnings by steps of organized accretion, until they swell to the full-fledged dignity of august sovereign States. Here we had a great commonwealth of a million of people with a long and illustrious history, resolved by the crushing and brutal force of war into a tyrannous anarchy, and seeking the rehabilitation of its bloody and shattered nationality. It was an impressive and grave spectacle, and a tragic experience for the proud State. It was the regeneration of a grand republic. It was more—it was the imperial resurrection of the dead spirit of august popular sovereignty. The reconstruction of no State of the Confederacy was looked to with the same interest that invested Georgia. More instrumental in the inception of the storm, more powerful in its conduct, more devastated by its ravages, Georgia, in the restoration period, was regarded with a deeper interest, and filled a more influential and exalted rôle than any of her sister States.

Ex-Gov. Herschell V. Johnson was elected president, and James D. Waddell secretary, of this important convention. Among the leading delegates was Augustus H. Kenan, J. R. Parrott, afterwards president of the convention of 1867-8; Judge C. B. Cole, T. G. Holt, now Judge of the City Court of Macon; Thomas E. Lloyd, E. C. Anderson, Solomon Cohen, W. F. Wright, John C. Nichols, a Congressman since; David Irwin, Gen. A. J. Hansell, John H. Christy, a noted editor; M. A. Candler, a Congressman since; Morgan Rawls, a Congressman since; N.

J. Hammond, now a Congressman; J. I. Whittaker, G. W. Adair, Niles W. Lewis, Gen. Eli Warren, C. T. Goode, J. H. Blount, now a Congressman; Wier Boyd, Phil Cook, now in Congress; E. G. Cabaniss, Joshua Hill, T. P. Saffold, William Luffman, Hines Holt, A. H. Chappell, J. J. Floyd, P. Reynolds, J. D. Matthews, J. A. Blance, J. L. Warren, Chas. J. Jenkins, John P. King, ex-president of the Georgia railroad; George R. Black, now in Congress; J. L. Wimberly, recently Judge of the Superior Court; Gen. M. Bethune, James L. Seward, A. T. McIntire, since in Congress; H. D. McDaniel, since a State Senator; Judge J. S. Hook, William M. Reese, since Judge; and William A. Harris.

The body was an able one, and patriotic, and conservative. The unquestioned leader of the convention was Judge Charles J. Jenkins, upon whose clear judgment and crystal honesty, the members reposed with an unreserved trust. Gov. James Johnson sent in a message to the convention, a cold, brief document, stating the condition of the commonwealth, and urging certain measures. He said that the cotton purchased by the state had been captured or burned, and the assets held abroad were drawn against, to their full value. The state road was rebuilt by the United States, and turned over to the state, on the 25th of September. The public debt was \$20,813,535, of which \$2,667,750 was ante-war securities, and \$18,135,775 incurred during the war. He advocated the repudiation of the latter, in language harshly condemnatory of the war. He declared all who participated in the effort to sever the country, violators of law, and the overthrow of the Confederate cause an extinction of the unconstitutional debt. His words were very acrimonious, and the temper of this curt message, so unsympathetic and biting, as to have placed him unpopularly with the people.

The convention continued in session until the 8th day of November, 1865. It repealed the ordinance of secession, repudiated the war debt, and abolished slavery. A new constitution was adopted. The state was divided into seven Congressional, and forty-four Senatorial Districts. Perhaps no action of the convention excited a deeper feeling than the repudiation of the war debt. The matter had been animatedly discussed long before the convention, and the people were against it. But when both Mr. Seward and President Johnson telegraphed that the extinction of the debt was necessary to the restoration to the Union, the repudiation was reluctantly done, and eighteen millions of liability was wiped out at one stroke, upon the behest of Federal power. It is a valuable historic fact, in connection with this unwilling and compulsory repudiation, and an honorable tribute to the Convention, that

Gov. James Johnson telegraphed to President Johnson these significant words, "We need some aid to reject the war debt." Two members of the convention, Col. A. T. McIntire of Thomas, and one other, voted against the measure anyhow.

Among the more notable acts of the convention was the passage of an address, asking amnesty for our disfranchised citizens. Hon. Thaddeus G. Holt, of Macon, was the author, he being the chairman of the committee appointed for the purpose, consisting of T. G. Holt, Jr., M. A. Candler, C. T. Goode, J. I. Whitaker and G. R. Black. This exquisite memorial deserves reproduction, alike for the beauty of its sentiment and diction as for the tribute it paid to our people.

"HIS EXCELLENCY, ANDREW JOHNSON, PRESIDENT UNITED STATES:

"The people of Georgia, through her delegates in Convention assembled, respectfully and earnestly invoke the exercise of the Executive clemency in behalf of those of our fellow-citizens embraced within the exceptions to the late Amnesty Proclamation, who may as yet remain unpardoned.

"Including, as the vast roll of her disfranchised citizens does, many of her finest intellects and purest patriots, and involving much of her available wealth, the Convention of our State respectfully recommend these men to your magnanimous clemency, as our needed coadjutors in the mighty task of re-organization, and as worthy subjects of your most generous kindness.

"The Convention pledges their future fidelity to the government of the United States. The very tenacity of their devotion to the South in the late struggle, the very heroism and magnitude of their efforts in an unsuccessful cause, and the very chivalry of their characters, as evinced in the trying vicissitudes of a gigantic war, will be your best guarantee of the virtue of their resignation to the result, and of the sincerity of their allegiance to a government which disarms them by its magnanimity, enchains their gratitude by its kindness, and punishes them only with its clement pardon.

"Believe us, sir, there is no looking back. The State of Georgia is prepared to do her whole duty in and to the government, and she now asks for the restitution to her control and use of her entire citizens, for whose integrity and loyalty she gives you her most solemn pledge, in order that they may assist her to work out from her travail and desolation the high destiny she still trusts is in store for her and them, under a government that has just emerged unharmed from the most desperate convulsion of the world's history, and whose tremendous power will be infinitely strengthened by its immeasurable benignity."

Captain, now Judge Holt, the author of this fine paper, had been one of our most gallant cavalry officers, and was the scion of that large family of Holts whose name is an honored and powerful one in Georgia annals.

The convention provided for an election of state officers and congressmen on the 15th of November, 1865. It changed the appointment of judicial officers by the Governor, with the consent of the Senate, to the election of Supreme Court Judges by the Legislature, and of Superior

Court Judges by the people of their respective districts. An important matter investigated was the disposition of the cotton bought by Gov. Brown for the state during the war. There has at various times been some attempt to reflect upon Gov. Brown in connection with this cotton by those unacquainted with the facts. The records of this convention and of the Legislature of 1865-6 show every bale of cotton and every dollar of money realized from the sale of cotton properly accounted for. A committee consisting of Thomas P. Saffold, Chas. S. Jordan, Sr., and O. A. Lochrane, investigated the subject of the state's financial transactions during the war, for three months, advertising for and exhausting every source of information. This committee fully exonerated every one of the state officials from any suspicion of wrong doing.

Gov. Brown bought 6,432 bales of cotton for the state under act of 1864, for \$1,500,000. Of this 382 bales were Sea Island cotton. The disposition of this cotton was as follows:

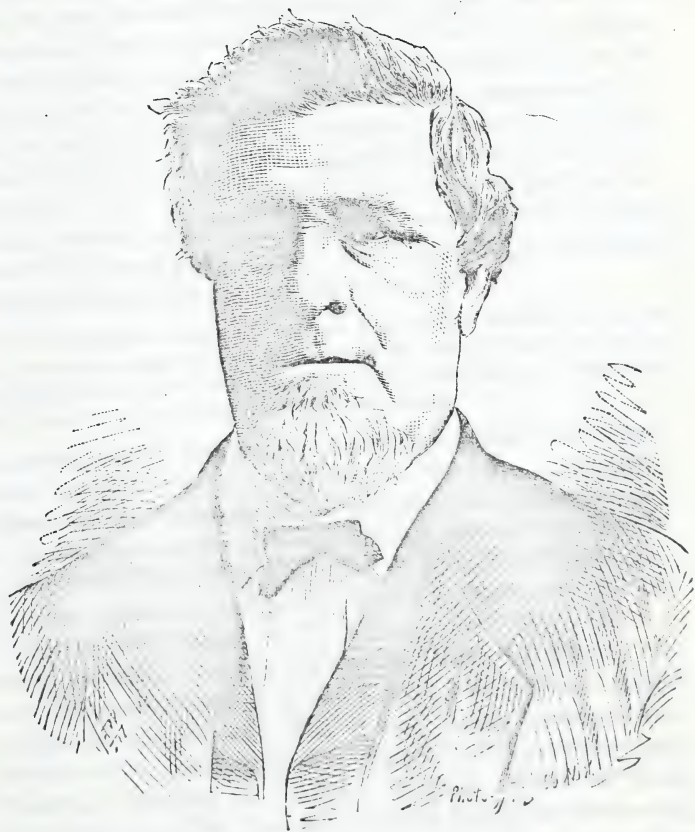
Exported safely Upland,	1,556½
Lost at sea,	58
Sold to Confederate Government,	282½
Used to pay freight on imports,	361
Sold to Mr. Brigham,	926
Burnt,	2,642
Captured,	223
Sea Island, burnt,	202
Sea Island, captured,	82
Exchanged and lost by owner,	96

6,432

There was also bought 275 boxes of tobacco, which was shipped to Wilmington, and taken possession of by Gen. Johnston's army at Timmons ville. Vouchers, receipts and drafts covering every dollar of the money in Europe and Nassau were shown by Gov. Brown, and the committee make this sweeping and unanimous statement:

"Our conclusion is, after the most rigid scrutiny into the public and private affairs of these officers, from Gov. Brown down, that not one of these rumors has been sustained by the slightest proof. Instead of fortunes having been made by them, we have found them generally poorer than when they went into office."

This is the solemn official record upon this matter, that has stood from that day to this unrefuted and irrefutable, demonstrating a matchless integrity in vast transactions where the control was almost unlimited. The enormous sum of eighteen millions of dollars was disbursed during the four years by the same set of officers, under the distractions and



HON. THOMAS HARDEMAN,
SPEAKER OF THE GEORGIA HOUSE OF REPRESENTATIVES.

temptations of the changeful drama of war and subjugation, yet so perfectly had the accounts been kept, and so methodically had the huge business been managed, that after three months searching examination, a committee of able and unimpeachable gentlemen were able to say, after tracing every dollar, that these great duties had been discharged "in times of great public trouble with singular ability and official integrity." This is a grand tribute to Gov. Brown's administration, and a fitting climax of Georgia's resplendent war record.

Gov. Brown, having unconditionally declined to allow the use of his name for Governor, the universal thought turned to Judge Jenkins. Gov. Brown, on the 30th of October, 1865, voicing the public desire, addressed Judge Jenkins requesting him to permit the presentation of his name to the people for Executive responsibility. Messrs J. P. King, A. H. Kenan, R. A. T. Ridley, Wilson Lumpkin, Asbury Hull, E. A. Nisbet, Washington Poe, Wm. C. Redding and others urged the candidacy. Judge Jenkins replied on the 2d of November, 1865, in a letter that is a model of good taste, elegant rhetoric and high sentiment. The following expressions deserve preservation:

"An honest and intelligent review of our past half century convicts us of two egregious errors; too great proneness to agitation, and too much division among ourselves. If my fellow-citizens detect in me aught of vindictiveness for past divisions, or of proscription for honest opinion's sake, *let them all proscribe me.*"

There was no opposition, and Judge Jenkins was elected Governor by the unanimous vote of the people, receiving 37,200 votes, a proud and crowning tribute to this distinguished Georgian. The following gentlemen were elected to Congress, but were never seated. 1st District, Solomon Cohen; 2d District, Phil Cook; 3d District, Hugh Buchanan; 4th District, E. G. Cabaniss; 5th District, James D. Mathews; 6th District, J. H. Christy; 7th District, W. T. Wofford.

The legislature assembled on the 4th day of December, 1865. William Gibson was elected President of the Senate, and Thomas Hardeman, Jr., Speaker of the House. Among the leading Senators were George S. Owens of Savannah, David E. Butler, Dr. H. R. Casey, and J. A. W. Johnson, of Dalton, an eloquent criminal lawyer of North Georgia. Mr. Butler and Col. Johnson are both living, and are among the most effective public speakers we have in Georgia. Among the leading representatives were Jenks Jones, ex-Congressman, Gen. G. P. Harrison, Philip M. Russell, R. L. McWhorter, C. W. DuBose, T. B. Cabaniss, J. M. Russell, Thos. G. Lawson, now Judge, George Barnes, now Georgia member of the National Democratic Executive Committee,

C. Snead, now Judge of the Augusta Circuit, J. D. Stewart, now Judge Flint Circuit, E. H. Pottle, Judge Northern Circuit, Hon. Thomas O. Wicker, and Col. R. J. Moses.

Gov. Johnson's message was a plain, brief document, mainly urging the ratification of the 14th amendment to the United States Constitution abolishing slavery. On the 6th of December, 1865, a legislative committee notified Gov. Jenkins of his election, and asked him to appoint a time to be inaugurated. Gov. Jenkins replied, stating that he had received the following communication:

"EXECUTIVE OFFICE, MILLEDGEVILLE, Dec. 4, 1865.

"HON. C. J. JENKINS:

"*Dear Sir:* In the discharge of an official duty I beg leave to inform you that I have been directed by the President of the United States to continue to act as Provisional Governor of the State of Georgia, until relieved, and my successor recognized by the Government. Your obedient servant, J. JOHNSON,

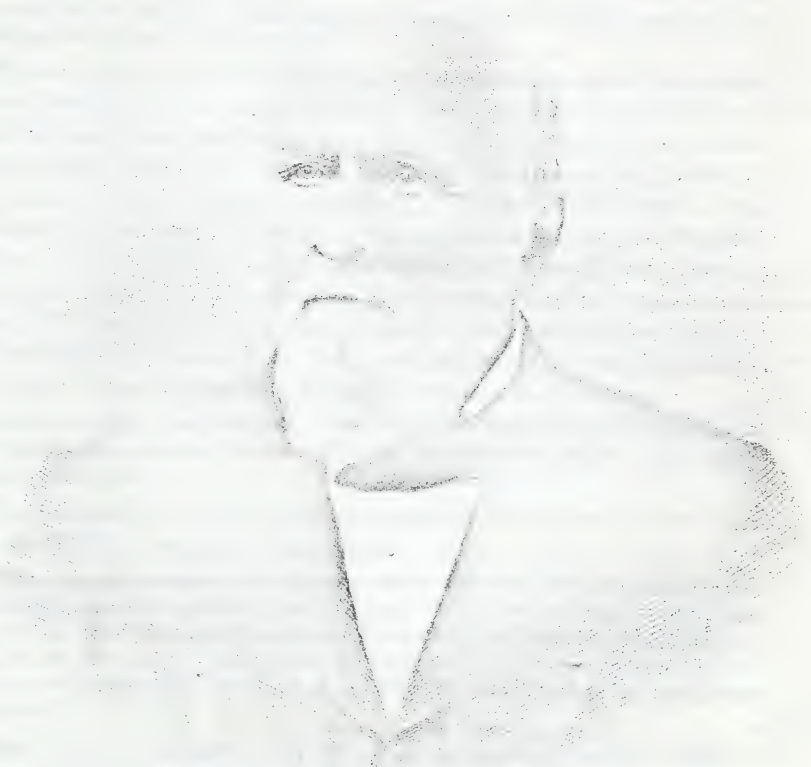
Prov. Gov. of Georgia."

Gov. Jenkins designated the 16th of January, 1866, for his inauguration, provided by that time he should be recognized by the United States government. The legislature immediately ratified the thirteenth amendment abolishing slavery. A law was also passed allowing Freedmen to testify in the courts. This was advanced action of Georgia on the negro question, and was an indication of the liberal spirit that governed our people. On the 11th of December, 1865, President Johnson telegraphed to Gov. Johnson:

"The Governor elect will be inaugurated, which will not interfere with you as Provisional Governor. You will receive instructions in a few days in regard to being relieved as Provisional Governor. Why can't you be elected as Senator?"

On the 14th of December, 1865, the variegated drama of reconstruction furnished the gladdening act of the inauguration of our noble Jenkins as Governor. It was a grateful spectacle for the State, and yet it was marked by most unpropitious surroundings. The day was cold, raw and rainy, and there was lacking the usual display of beauty. It seemed as if nature was giving token that the episode was a temporary and ineffectual part of the tragic comedy of reconstruction. Gov. Jenkins' inaugural was a very fine paper, eloquent, ornate, stately, earnest, statesmanlike. There was a singular felicity of language and idea in its strong and polished sentences. It breathed a spirit that every patriot could endorse. It contains some striking paragraphs. Said this masterly address:

"Five years since reason abandoned and the sword assumed the arbitrament. We open not that record of violence; would that we could stamp it with the seal of oblivion.



Now the wager of battle is over, and the award is against us, as parties to the issue. Our whole people have risen up and accepted it as by the will of one man. What valor failed to achieve, wisdom has promptly renounced; and truth herself has set her signet to the attestation of the deed."

With exquisite beauty and wisdom he added:

"A tempest of unsurpassed fury has swept over the land. The elements do not subside into their normal quiet instantaneously with the lull of the wind, the sleep of the lightning, and the hush of the thunder."

This extraordinary and unsurpassable inaugural was most remarkable in its discussion of the negro question. Its kindness to the black race was unstinted yet discriminating. It abounded in happy utterances. Emancipation had come upon us like the "destructive engulfing of the earthquake in volcanic localities." The realization that it was unalterably fixed was the first step toward the adjustment of the new system. The blacks had exhibited a fidelity in the past and a decorum under the distracting influences of the present "without a parallel in history." They should be protected against the "crafty machinations of the designing" as well as the "fatal delusions of social equality." This part of the address thus fervently concluded:

"God is merciful! God is mighty! God in his abounding mercy and in the plenitude of his might so dispose our fortunes and theirs, that each class shall be to the other a blessing, not a curse."

The extracts from this superb enunciation will be well ended with this spendid and prophetic paragraph:

"Peace restored—the machinery of government once more put in operation—public and private enterprise aroused from their long slumber—educational institutions reopened—our sacred temples and our altars with their holy ministrations frequented as of yore, and the blessing of Almighty God overspreading and vivifying all earnest effort, Georgia will illustrate the teachings of adversity by speedily achieving an enlarged prosperity."

The General Assembly only remained in session until the 15th of December, when it adjourned until January 15, 1866. The following State House officers were elected: N. C. Barnett, Secretary of State; J. T. Burns, Comptroller General; John Jones, Treasurer, and J. W. Burke, public printer. Col. Barnett is still the Secretary of State, enjoying a ripe old age, and honored with a degree of popular confidence founded upon a life of spotless integrity and a character full of manly and social excellencies.

The condition of Georgia at this time was full of anxiety for patriots. There were organized bands of thieves all over the State under the lead of bad white men. Every newspaper teemed with accounts of robbery.

Stock was stolen every night, and punishment was rare. In localities were shocking exhibitions of lawlessness and crime. Large numbers of the Federal soldiers had been withdrawn from the State, leaving the people without the protection of their authority and arms. The bad element of the blacks had become violent, and reveled in a carnival of vicious insubordination, and the courts were not in sufficient punitive operation. Colored incendiaries from abroad were stirring about among the negroes and stimulating them to lawlessness. The cities and towns especially were scenes of murder, plunder, assassination and riot. In this bad condition of order Gov. Johnson contemplated the remedy of organizing and arming companies of discreet volunteers.

On the 19th day of December, 1865, Gov. Jenkins received the following telegram from Washington, which terminated the temporary administration of Provisional Governor James Johnson, and put upon its legs what seemed the permanent state government of the people. The cherished end seemed at last in sight, and the travail of a painful reconstruction gloriously ended.

"WASHINGTON, D. C., 19th December, 1865.

"TO HIS EXCELLENCY THE GOVERNOR OF THE STATE OF GEORGIA:

"Sir,—By direction of the President I have the honor herewith to transmit to you a copy of a communication which has been addressed to his Excellency, James Johnson, late Provisional Governor, whereby he has been relieved of the trust heretofore reposed in him, and directed to deliver into your possession the papers and property relating to the trust.

"I have the honor to tender you the coöperation of the Government of the United States, whenever it may be found necessary, in effecting the early restoration and the permanent prosperity of the state over which you have been called to preside.

"I have the honor to be, with great respect, your most obedient servant,

"W. H. SEWARD."

The thrill of joy that pulsed through the smitten state at the publication of this joyful document can be better understood than described. It was the practical realization of that familiar holy history of the promised land after a toilsome pilgrimage of unspeakable woe. But the drama of reconstruction was the kaleidoscope of a harlequin. The seemingly glad recovery of our political hope was the beginning of the dreariest and most fantastic political tragedy of the world's annals. And the consistency of the unparalleled picture can only be preserved in the mind by connecting with this graceful and dignified installation of a splendid representative state government, its brutal and ignominious overthrow and expulsion, and the erecting in its place of a dynasty of force, plunder and execration.

The Legislature re-assembled on the 5th day of January, 1866. The most serious subject for action was the government of the emancipated blacks. The Convention had authorized Gov. Johnson to appoint a committee to prepare a negro code of laws. That committee consisted of Judge Ebenezer Starnes, W. Hope Hull, L. E. Bleckley and Samuel Barnett, and was a rare selection of able, brave and pure-minded men. These commissioners, after long and conscientious preparation, presented to the Legislature the result of their labors—a code of laws just and liberal to the freedmen, and safe to the whites. It gave ample security to rights of person and property, but withheld political privileges. This code was a matter of solicitous thought and patriotic concern among the members, and the opinion upon it varied and tremulous. Several of the General Assembly, R. A. T. Ridley, F. A. Frost, D. E. Butler, John D. Stewart and Jesse A. Glenn addressed a letter to ex-Gov. Brown, asking his opinion. On the 14th of February, 1866, he replied in a letter of masterly wisdom. It was a singularly clear-cut, sententious, practical enunciation of view, and in the light of results wonderfully correct. It took positive square ground against a special *Freedman's Code*, or any laws discriminating in court rights and remedies. He said the United States Government would not permit the enforcement of a separate penal and civil code. He used this expression, which was a vague and intuitive premonition of the coming spread of the colored revolution: "Unless madness rules the hour, they will never be placed upon a basis of political equality with us."

But even this far-sighted gentleman did not realize the inexorable drift of events under the changed order of things, and at that time, as always, he manifested his thorough Southern sympathy; and he did not advocate in advance the inauguration of measures whose acceptance he afterwards advised as a matter of necessity. It is important to look at this in properly estimating his after course, which entailed upon him so much bitter odium.

Gov. Jenkins in his message called attention to a curious inconsistency of the reconstruction going on. President Johnson had proclaimed the amendment to the United States Constitution, adopted by the vote of Georgia, which had been solicited and accepted in recognition of her rights as a state of the Union. Yet the incongruous sight was witnessed of the state being both out of and in the Union at the same time. If she was out, the amendment adopted by her vote was void. If she was in, her rights were perfect. This anomaly of her position was one of the farcialities of that reconstruction that marked the end of our great war.

The legislature elected as Judges of the Supreme Court, Dawson A. Walker and Iverson L. Harris. Walker beat Gen. Benning and Richard F. Lyon. Harris beat Hiram Warner, Richard H. Clarke, Barnard Hill and John Schley. The defeat of Gen. Benning, a soldier, by Judge Walker, a non-combatant, was a strange victory, and keenly felt by Gen. Benning. It was largely due to William Dougherty, the great lawyer who fought Gen. Benning about his decision in the Columbus Bank cases, as has been noticed before in this volume. The General Assembly elected Alexander H. Stephens and Herschell V. Johnson, United States Senators. Mr. Stephens beat Joshua Hill. Mr. Johnson beat Gen. L. J. Gartrell, C. Peeples and James Johnson. Gen. Gartrell received ninety-three votes on one ballot, the contest being a lively one. He finally withdrew on the sixth ballot when within one vote of an election. Neither of these senators were ever admitted to their seats. During the session, Mr. Stephens was formally invited to address the legislature, and his speech appears upon the journals of the General Assembly,—an unwonted and distinguished compliment. The speech was a profound and statesmanlike utterance, philosophical, dispassionate, conciliatory. It took the distinct ground that "we must accept the issues of the war, and abide by them in good faith."

The legislature adjourned on the 13th day of March, 1866. Among the important measures passed, were stay and homestead laws; appropriations to repair and equip the state road, and buy artificial limbs for maimed soldiers, and resolutions complimenting President Johnson, and requesting the withdrawal of soldiers. Gov. Jenkins gave a marked evidence of his firmness and courage, by vetoing the stay and homestead laws in the teeth of a universal public clamor for these measures as a relief in the pecuniary stress of the state. Conceiving them unconstitutional, the brave and honest statesman refused them his sanction under the solemn obligation of his oath. But the stay law was passed over his veto.

CHAPTER XXXIV.

THE SECOND IRON HANDED AND WHIMSICAL PHASE OF RECONSTRUCTION.

The Memorable Strife between Andrew Johnson and Thad. Stevens.—The Fourteenth Amendment.—Negro Citizenship and White Disfranchisement.—The Fierce Reconstruction Committee of Congress.—National Union Convention.—Gov. Jenkins' Message against the Fourteenth Amendment.—The Legislature Rejects the Amendment.—Conservatism Baffled at the North, and the South Trembling in Radical Clutches.—Two Reconstructions.—Practical State Matters.—The Federal Court.—Ex-Gov. Brown and his Triumphs on the Test Oath and the Stay Law.—Freedmen's Bureau.—Ladies' Memorial Association.—Emigration to Mexico and Brazil.—The Sherman Bill.—Negro Suffrage Added.—Andrew Johnson's Impeachment.—The South Inflamed.—Gov. Brown's visit North to Probe the Situation.—His Fateful Letter advising Acceptance of the Conqueror's Terms as the only means of State Regeneration.—A Letter that Scorched his Career for Years.—Ex-Gov. Brown Predicts its Unpopularity.—The Terrific Storm of Odium he Met.—His Frightful Associations.—The "Carpet Bagger."—T. M. Norwood.—Gov. Jenkins' Suit to Test the Sherman Bill.—An Instructive Antithesis.—Brown and Jenkins.

THE year 1866 marked the inauguration of one of the most exciting civil conflicts in the history of our great republic. This was the ever memorable struggle between the President and Congress of the United States, over the reconstruction of the seceded and conquered States. President Johnson had exacted the abolition of slavery and the repudiation of our war debts. These demands had been complied with, and the Southern States reorganized. Congress refused the admission of our Senators and Representatives and remitted the matter of reconstruction to a special committee. The extreme Republicans of the North were not satisfied with the concessions made by the South, and the fight began over President Johnson's policy of national restoration. In April, 1866, President Johnson proclaimed peace restored, and the great insurrection at an end. The Southern insurrection was indeed over, but the war waged none the less furiously against the South, not a war of blood, but a war of malice and proscription. Thaddeus Stevens led the crusade, whose object was the further humiliation of the South, and the crusade ended in the passage of the Fourteenth Amendment to the Constitution of the United States. This amendment made negroes citizens, reduced representation in Congress in pro-

portion to citizens refused the voting privilege, and disfranchised all of our citizens who had held office before the war and fought on the Southern side. It was fiercely opposed all over the South. Our people stood solidly against it. The measure excited a heated discussion over the whole country. Another measure that was passed over President Johnson's veto, and which excited a deep feeling and a hot argumentative conflict, was the Civil Rights bill.

The implacable Reconstruction committee of Congress, headed by Thad. Stevens, continued fulminating its harsh propositions in swift succession, which congress after stormy debate passed. A resolution was forced through that the rebellion deprived the South of civil government, and it was the duty of Congress to provide them with civil governments, to continue suspension of habeas corpus and keep soldiers in the South to protect the blacks and Union citizens. Then another was ground out that no Senator or Representative be admitted from any Southern state until Congress shall have declared such state entitled to representation. Upon these came the Fourteenth Amendment, which the Southern States must ratify to gain admission.

The National Union Convention was held in Philadelphia on the 14th of August, 1866, to stop, if possible, this radical mischief. Gov. Brown presided at a county meeting in Fulton county to arrange for delegates, and made an admirable speech that was widely copied and complimented. He used this language: "While we cannot accord to the negro race social and political equality, I believe it is the fixed purpose of nineteen-twentieths of the people of Georgia to see that they have legal equality and that justice and equity be constantly administered." The delegates appointed from Georgia were: State, A. H. Stephens, H. V. Johnson, A. H. Chappell and D. A. Walker; District, W. B. Fleming, J. B. Gordon, Eli Warren, J. L. Wimberly, H. Warner, E. H. Worrell, T. Hardeman, P. W. Alexander, Linton Stephens, A. R. Wright, J. H. Christy, R. McMillan, R. F. Lyon, Jas. Milner. But all was unavailing. The extreme Republicans had the power and they pushed it ruthlessly. Their whole course was an unbroken carnival of inconsistency and despotism. They fought the war for the Union, and after success themselves smashed it. They battled for the constitution, and having established, they then ignored and violated it. They were for party and not the country. They acted against law, justice, humanity and the constitution, yet that mattered nothing. And opposition to their demands but increased the number and severity of their exactions. The Fourteenth Amendment disfranchised the leading whites of the

South, but it did not confer suffrage on the negro. The rejection of the one brought both, and it was a perception of the futility of non-compliance, and the injury of opposition in evoking additional wrongs and accumulating conditions of humiliation that impelled the practical wise-visioned Brown to advise ceasing unavailing contention, and stop oppression by the acceptance of irresistible terms.

The legislature met in November. Gov. Jenkins in his message made a masterly argument against the Fourteenth Amendment, which echoed the public heart. The joint legislative committee, headed by B. A. Thornton of the Senate, and R. A. T. Ridley of the House, made a masterly and unanswerable report, written by Col. R. J. Moses against it, which took these two simple and impregnable positions:

"1. If Georgia is not a state composing a part of the Federal government, known as the Government of the United States, amendments to the Constitution of the United States are not properly before this body.

"2. If Georgia is a state, composing a part of the Federal government, known as the government of the United States, then these amendments are not proposed according to the requirements of the Federal Constitution, and are proposed in such a manner as to forbid the legislature from discussing the merits of the amendments without an implied surrender of the rights of the state."

This superb report concluded with this resolution:

"*Resolved*, That the legislature of Georgia declines to ratify the proposed amendment, adding a fourteenth article to the constitution of the United States."

The Senate voted unanimously in favor of it, and the House passed it with only two dissenting voices, Ellington of Gilmer, and Umphrey of Fannin. Such unanimity has rarely been witnessed. The two irresistible considerations governing the rejection of this amendment were that it was without the authority of the constitution, and it made our people the ignominious authors of the disfranchisement of our own best citizens. The year 1866 closed with conservatism baffled and beaten in national matters, and the South panoplied in argument and robed in right, yet trembling in the cruel clutch of a pitiless Radicalism, angered by the contemptuous rejection of its bitter terms by its helpless victim. We had enjoyed two reconstructions. Sherman accepted our surrender on terms of the immediate restoration of the States to the Union. Johnson repudiated this consistent result, and, compelling the abolition of slavery and our war debts, organized us on these ideas. Congress upset Johnson as he had overthrown Sherman, and demanded of the South the voting of citizenship to the negro and the disfranchisement of the Southern leaders. This was spurned, and the high-contracting parties stood lowering at each other in the throes of a battle

